

**MINUTES
BOROUGH OF SHIP BOTTOM
REORGANIZATION MEETING
JANUARY 4, 2024 9:00 AM**

1. **CALL MEETING TO ORDER**

The mayor called the meeting to order at 9:00 a.m.

2. **FLAG SALUTE AND PRAYER**

The mayor led the flag salute and the clerk read the prayer

3. **STATEMENT OF NOTICE**

The clerk read the following statement:

Pursuant to the Open Public Meetings Act both adequate and electronic notice of this meeting has been provided by posting on the bulletin board in the Municipal Building, on the Borough website and mailing the same to the Beach Haven Times, the Asbury Park Press and the Press of Atlantic City.

4. **ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS**

The clerk administered the oath of office for Mr. Hartman and Mr. English.

**DAVID HARTMAN
EDWARD ENGLISH**

The Mayor congratulated each of the councilmembers.

5. **ROLL CALL OF MEMBERS PRESENT**

The clerk made note that the following were present:

COUNCILMAN HARTMAN
COUNCILMAN TALLON
COUNCILMAN VALYO
COUNCILMAN ENGLISH
COUNCILMAN BUTKUS
COUNCILMAN ROSSI

Also present,
Kathleen Flanagan, CFO
Kristy DeBoer, Municipal Clerk

6. **ELECTION OF COUNCIL PRESIDENT**

The Mayor asked for nominees for council president. Councilman Rossi made a motion to nominate Councilman English. With no other nominations, the mayor asked for a roll call. Hartman, Valyo, English, Butkus, Rossi, all aye, Tallon present. The Mayor congratulated Council President English on his nomination.

7. **RESOLUTIONS**

The Mayor asked for a motion, second and a roll call vote for each resolution. The clerk read each resolution by title and took a roll call vote, the vote is depicted within each resolution.

1. 2024-01 Annual Meeting Notice
**RESOLUTION 2024-01
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ANNUAL MEETING NOTICE OF 2024**

WHEREAS, the Open Public Meetings Act of 1975, P.L. 1975, c. 231, requires municipalities to provide annual notice of the schedule of regular meetings for the coming year within seven days of the annual reorganization meeting; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ship Bottom, that pursuant to the provisions of N.J.S.A. 10:4-1 et seq. all regular meetings of the Governing Body will be held in the Municipal Building, 1621 Long Beach Blvd., Ship Bottom, New Jersey. Formal action will be taken and closed sessions may be held. Such meetings shall commence with a Caucus Meeting at 6:30 p.m. with the Regular Meeting immediately following, on the fourth Tuesday of each month, (except where noted) according to the following schedule:

Tuesday, January 23, 2024	Tuesday, July 23, 2024
Tuesday, February 27, 2024	Tuesday, August 27, 2024
Tuesday, March 26, 2024	Tuesday, September 24, 2024

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WHEREAS, the firm of Tennant Magee Law has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Tennant Magee Law 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 Tennant Magee Law from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the resolution and contract be made available for public inspection.

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 Tennant D. Magee, Sr., Esq., of the firm of Tennant Magee Law is hereby appointed as municipal attorney for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2024 and ending December 31, 2024, or upon 30 days written notice by either party.
- B. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Tennant D. Magee, Sr., Esq., of the firm of Tennant Magee Law.
- 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. A notice of this action shall be printed once in an official newspaper of the Borough of Ship Bottom.
- E. This Resolution takes effect January 1, 2024.
- F. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Tennant D. Magee Sr., Esq., of the firm of Tennant Magee Law.
- G. That a certificate of availability of funds has been executed by the Chief Financial Officer. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Legal Services O/E.
- H. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contact Agreement.
- I. A copy of this Resolution, as well as Contract Agreement is on file with the Municipal Clerk.
- J. The Business Disclosure Entity Certification and the Determination of Value will be attached to the agreement.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

4. 2024-04 Appointing Municipal Engineer – Little
RESOLUTION 2024-04
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING FRANK J. LITTLE, JR., P.E. OF
OWEN, LITTLE AND ASSOCIATES AS
MUNICIPAL ENGINEER FOR
THE BOROUGH OF SHIP BOTTOM

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WHEREAS, the Borough of Ship Bottom is in need of the services of a municipal engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Frank J. Little, Jr., P.E. is duly qualified to serve as the municipal engineer for the Borough of Ship Bottom; and

WHEREAS, it is the desire of the governing body to appoint Frank J. Little, Jr., P.E., of the firm of Owen, Little and Associates as municipal engineer; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this Resolution may exceed \$17,500 in the 2024 municipal budget; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2024 municipal budget; and

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Frank J. Little, Jr., P.E., FOR THE provision of Borough Engineer for an amount not to exceed \$40,000. The funds which are available for this contract are found in the following line item appropriations or ordinances: Engineering O&E;

Kathleen Flanagan, CFO

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the firm of Owen Little & Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Owen Little & Associates, Inc. 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 Owen Little & Associates, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contract for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

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 Frank J. Little, Jr., P.E., of the firm of Owen, Little and Associates is hereby appointed as municipal engineer for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2024 and ending December 31, 2024, or upon 30 days written notice by either party.
- B. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Frank J. Little, Jr., P.E., of the firm of Owen, Little and Associates.
- 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. A notice of this action shall be printed once in an official newspaper of the Borough of Ship Bottom.
- E. This Resolution takes effect January 1, 2024.
- F. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Frank J. Little, Jr., P.E., of the firm of Owen, Little and Associates.
- G. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line-item appropriations or ordinances which constitute the availability of funds for this contract: Engineering O/E.
- 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 and the Determination of Value will be attached to the contract.

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WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2024 municipal budget; and

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Bruce W. Padula, Esq., FOR THE provision of Labor Counsel for an amount not to exceed \$20,000. The funds which are available for this contract are found in the following line item appropriations or ordinances: Legal O&E;

Kathleen Flanagan, CFO

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

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 Bruce W. Padula, Esq. of the firm of Cleary Giacobbe Alfieri Jacobs, LLC is hereby appointed as labor counsel for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2024 and ending December 31, 2024 or upon 30 days written notice by either party.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Bruce W. Padula, Esq. of the firm of Cleary Giacobbe Alfieri Jacobs, LLC.
- 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. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
- e. This Resolution takes effect January 1, 2024.
- f. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Bruce W. Padula, Esq. of the firm of Cleary Giacobbe Alfieri Jacobs, LLC.
- g. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contact Agreement.
- h. A copy of this Resolution, as well as the Contract Agreement is on file with the Municipal Clerk.
- i. The Business Disclosure Entity Certification will be placed on file with the agreement.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

7. 2024-07 Appointing Bond Counsel – Gluck

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**RESOLUTION 2024-07
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING MICHAEL GLUCK OF THE FIRM OF
DILWORTH PAXSON LLP AS BOND COUNSEL FOR
THE BOROUGH OF SHIP BOTTOM**

WHEREAS, the Borough of Ship Bottom is in need of the services of bond counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the firm of Dilworth Paxson LLP, is duly qualified to serve as bond counsel for the Borough of Ship Bottom; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the firm Dilworth Paxson LLP has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Dilworth Paxson LLP, 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 Dilworth Paxson LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is set forth in the 2024 municipal budget; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this Resolution may exceed \$17,500 in the 2024 municipal budget; and

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Michael Gluck of the firm of Dilworth Paxson LLP As Bond Counsel., FOR THE provision of Bond Counsel for an amount not to exceed \$40,000. The funds which are available for this contract are found in the following line item appropriations or ordinances: Legal O&E;

Kathleen Flanagan, CFO

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for the "Professional Services" without competitive bids and requires that the resolution and contract be made available for public inspection.

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

- a. That Michael Gluck of the firm of Dilworth Paxson LLP is hereby appointed as bond counsel for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2024 and ending December 31, 2024 or upon 30 days written notice by either party.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest the agreement with Michael Gluck of Dilworth Paxson LLP.
- 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. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
- e. This Resolution shall take effect January 1, 2024.
- f. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Dilworth Paxson LLP.
- g. That a certificate of availability of funds has been executed by the Chief Financial Officer. The following is the line item appropriation which constitutes the availability of funds for this contract: Bond Sales and Legal Expense O/E.
- 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.

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- j. The Business Disclosure Entity Certification will be placed on file with the agreement.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

8. 2024-08 Appointing Special Counsel – Connors

RESOLUTION 2024-08

RESOLUTION OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING CHRISTOPHER J. CONNORS, ESQ. OF THE FIRM OF DASTI, MURPHY, MCGUCKIN, ULAKY, KOUTSOURIS & CONNORS AS SPECIAL COUNSEL FOR THE BOROUGH OF SHIP BOTTOM

WHEREAS, from time to time because of a conflict of interest or other reasons, the need for special counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the governing body desires to appoint Christopher J. Connors, Esq. of the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors as special counsel; and

WHEREAS, the anticipated term of this contract is from January 1, 2024 until December 31, 2024; and

WHEREAS, Christopher J. Connors, Esq. of the firm Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors completed and submitted a Business Entity Disclosure Certification which certifies that Christopher J. Connors, Esq. has not made any reportable contributions to a political or candidate committee in the Borough of Ship Bottom in the previous one year, and that the contract will prohibit Christopher J. Connors, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Christopher J. Connors, Esq. of the firm Murphy, McGuckin, Ulaky, Koutsouris & Connors, FOR THE provision of Special Counsel may exceed \$17,500.00. The funds which are available for this contract are found in the following line-item appropriations or ordinances: Legal O/E;

Kathleen Flanagan, CFO

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 Christopher J. Connors, Esq. of the firm Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors 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 Christopher J. Connors, Esq. in accordance with the provisions of this Resolution.
- c. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
- d. That the agreement shall be an open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year. The terms of the contract shall be from January 1, 2024 to December 31, 2024 or upon 30 days written notice by either party. No services shall be rendered under

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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 Christopher J. Connors, Esq. of the firm Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors.
- 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 January 1, 2024.
- 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.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

9. 2024-09

Appointing Special Counsel – Thibault

RESOLUTION 2024-09

**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF
OCEAN, STATE OF NEW JERSEY, APPOINTING ARTHUR
THIBAUT, JR., ESQ. OF THE FIRM OF APRUZZESE, MCDERMOTT,
MASTRO & MURPHY
FOR THE BOROUGH OF SHIP BOTTOM**

WHEREAS, from time to time because of a conflict of interest or other reasons, the need for special counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the governing body desires to appoint Arthur Thibault, Jr., Esq. of the firm of Apruzzese, McDermott, Mastro & Murphy as special counsel; and

WHEREAS, the anticipated term of this contract is from January 1, 2024 until December 31, 2024; and

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

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Arthur Thibault, Jr., Esq., FOR THE provision of Special Counsel for an amount not to exceed \$15,000. The funds which are available for this contract are found in the following line-item appropriations or ordinances: Legal O/E;

Kathleen Flanagan, CFO

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 Arthur Thibault, Jr., Esq. is hereby appointed as special counsel to represent the Borough.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Arthur Thibault, Jr., Esq. in accordance with the provisions of this Resolution.

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- 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 January 1, 2024 to December 31, 2024 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 Arthur Thibault, Jr., Esq.
- f. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
- g. This Resolution takes effect January 1, 2024.
- 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.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

1. 2024-10 Appointing Prosecutor – Peterson
**RESOLUTION 2024-10
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING BONNIE R. PETERSON, ESQ.
AS MUNICIPAL PROSECUTOR
FOR THE BOROUGH OF SHIP BOTTOM**

WHEREAS, the Borough of Ship Bottom is in need of the services of a municipal prosecutor; as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Section 14 of P.L. 1996, c. 95 provides that a municipality may employ an attorney-at-law as a prosecutor, under the supervision of the Attorney General or County Prosecutor, who may represent the State, County or municipality in any matter within the jurisdiction of a certain municipal court or any other municipal court; and

WHEREAS, Bonnie R. Peterson, Esq., is duly qualified to serve as a municipal prosecutor for the Borough of Ship Bottom; and

WHEREAS, the anticipated term of this contract is from January 1, 2024 until December 31, 2024; and

WHEREAS, it is the desire of the governing body of the Borough of Ship Bottom to appoint Bonnie R. Peterson, Esq., as Municipal Prosecutor in accordance with Section 14 of P.L. 1996, c. 95; and

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

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2024 municipal budget; and

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WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom does hereby certify that adequate funds are available for a professional service agreement with Bonnie Peterson FOR THE provision of Prosecutor services for an amount not to exceed \$13,500.00. The funds which are available for this contract are found in the following line-item appropriations or ordinances: Prosecutor O/E

Kathleen Flanagan, CFO

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection in the office of the Municipal Clerk

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

1. Bonnie R. Peterson, Esq., is hereby appointed as Municipal Prosecutor for the Borough of Ship Bottom in accordance with Section 14 of P.L. 1996, c. 95, for the term commencing January 1, 2024 and ending December 31, 2024 or upon 30 days written notice by either party.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Bonnie R. Peterson, Esq., as Prosecutor for the Borough of Ship Bottom.
3. 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.
4. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
5. This Resolution takes effect January 1, 2024.
6. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Bonnie R. Peterson, Esq.
7. That a certificate of availability of funds has been executed by the Chief Financial Officer. The following are the line-item appropriations or ordinances which constitute the availability of funds for this contract: Prosecutor's Office O/E.
8. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contact Agreement.
9. A copy of this Resolution, as well as the Contract Agreement is on file with the Municipal Clerk.
10. The Business Disclosure Entity Certification will be attached to the agreement.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

2. 2024-11 Appointing Alternate Prosecutor – McGuckin

**RESOLUTION 2024-11
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING GREGORY MCGUCKIN, ESQ.,
TIMOTHY J. MCNICHOLS, ESQ., MARTIN J. BUCKLEY, ESQ.,
KELSEY A. MCGUCKIN-ANTHONY, ESQ.,
AND PATRICK F. VARGA, ESQ.,
OF THE FIRM OF DASTI, MURPHY, MCGUCKIN,
ULAKY, KOUTSOURIS & CONNORS
AS ALTERNATE MUNICIPAL PROSECUTOR**

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JANUARY 4, 2024 9:00 AM**

FOR THE BOROUGH OF SHIP BOTTOM

WHEREAS, the Borough of Ship Bottom is in need of the services of an alternate municipal prosecutor; as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Section 14 of P.L. 1996, c. 95 provides that a municipality may employ an attorney-at-law as an alternate prosecutor, under the supervision of the Attorney General or County Prosecutor, who may represent the State, County or municipality in any matter within the jurisdiction of a certain municipal court or any other municipal court; and

WHEREAS, Gregory McGuckin, Esq., Timothy J. McNichols, Esq., Martin J. Buckley, Esq., and Kelsey A. McGuckin-Anthony, Esq., of the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors, are duly qualified to serve as Alternate Municipal Prosecutors for the Borough of Ship Bottom; and

WHEREAS, the anticipated term of this contract is from January 1, 2024 until December 31, 2024; and

WHEREAS, it is the desire of the governing body of the Borough of Ship Bottom to appoint Gregory McGuckin, Esq., Timothy J. McNichols, Esq., Martin J. Buckley, Esq., Kelsey A. McGuckin-Anthony, Esq., and Patrick F. Varga, Esq. of the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors, as Alternate Municipal Prosecutors in accordance with Section 14 of P.L. 1996, c. 95; and

WHEREAS, the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors 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 Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors from making any reportable contributions through the term of the contract; and

WHEREAS, the maximum amount to be awarded under this Resolution is set forth in the 2024 municipal budget; and

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Gregory McGuckin, Esq., Timothy J. McNichols, Esq., Martin J. Buckley, Kelsey A. McGuckin-Anthony, Esq., and Patrick F. Varga, Esq. of the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors FOR THE provision of Alternate Public Defender for an amount not to exceed \$2,000. The funds which are available for this contract are found in the following line item appropriations or ordinances: Prosecutor O/E

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the Resolution be made available for public inspection in the office of the Municipal Clerk

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

1. Gregory McGuckin, Esq., Timothy J. McNichols, Esq., Martin J. Buckley, Esq., Kelsey A. McGuckin-Anthony, Esq., and Patrick F. Varga, Esq. of the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors, are hereby appointed as Alternate Municipal Prosecutors for the Borough of Ship Bottom in accordance with Section 14 of P.L. 1996, c. 95, for a term commencing January 1, 2024 and ending December 31, 2024 or upon 30 days written notice by either party.
2. This appointment is made 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.
3. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
4. This Resolution takes effect January 1, 2024.
5. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors.
6. When the services of Gregory McGuckin, Esq., Timothy J. McNichols, Esq., Martin J. Buckley, Esq., Kelsey A. McGuckin-Anthony, Esq., or Patrick F. Varga, Esq. are needed as an Alternate Prosecutor, the compensation will be provided by Bonnie R. Peterson, Esq., Prosecutor for the Borough of Ship Bottom.

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7. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contract Agreement.

8. A copy of this Resolution is on file with the Municipal Clerk.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

3. 2024-12 Appointing Public Defender – Rumph
**RESOLUTION 2024-12
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING DEBRA H. RUMPF, ESQ.
AS PUBLIC DEFENDER FOR
THE BOROUGH OF SHIP BOTTOM**

WHEREAS, the Borough of Ship Bottom is in need of the services of a public defender as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Debra H. Rumpf, Esq., is duly qualified to serve as the public defender for the Borough of Ship Bottom; and

WHEREAS, it is the desire of the governing body to appoint Debra H. Rumpf, Esq., as public defender; and

WHEREAS, the anticipated term of this contract is one (1) year; and

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

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2024 municipal budget; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Debra Rumpf, Esq., FOR THE provision of Public Defender. The funds which are available for this contract are found in the following line item appropriations or ordinances: Legal Assistance for Indigent O/E.

Kathleen Flanagan, CFO

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 Debra H. Rumpf, Esq. is hereby appointed as public defender for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2024 and ending December 31, 2024 or upon 30 days written notice by either party.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Debra H. Rumpf, Esq.

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- 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. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
- e. This Resolution takes effect January 1, 2024.
- f. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Debra H. Rumpf, Esq.
- h. That a certificate of availability of funds has been executed by the Chief Financial Officer. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Legal Assistance for Indigent O/E.
- 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.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

4. 2024-13 **Appointing Alternate Public Defender – Dowell**
RESOLUTION 2024-13
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING CURTIS DOWELL, ESQ. AS ALTERNATE PUBLIC DEFENDER FOR THE
BOROUGH OF SHIP BOTTOM

WHEREAS, the Borough of Ship Bottom is in need of the services of an alternate public defender as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Curtis Dowell, Esq., is duly qualified to serve as the alternate public defender for the Borough of Ship Bottom; and

WHEREAS, it is the desire of the governing body to appoint Curtis Dowell, Esq., as alternate public defender; and

WHEREAS, the anticipated term of this contract is one year; and

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

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2024 municipal budget; and

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Curtis Dowell, Esq., FOR THE provision of Alternate Public Defender. The funds which are available for this contract are found in the following line-item appropriations or ordinances: Legal Assistance for Indigent O/E.

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Kathleen Flanagan, CFO

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

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 Curtis Dowell, Esq. is hereby appointed as alternate public defender for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2024 and ending December 31, 2024 or upon 30 days written notice by either party.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Curtis Dowell, Esq.
- 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. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
- e. This Resolution takes effect January 1, 2024.
- f. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Curtis Dowell, Esq.
- g. That a certificate of availability of funds has been executed by the Chief Financial Officer. The following are the line-item appropriations or ordinances which constitute the availability of funds for this contract: Legal Assistance for Indigent O/E.
- 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 and will be placed with the agreement.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

5. 2024-14 Appointing Alternate Engineer – Jason Worth, T&M

**RESOLUTION 2024-14
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING JASON WORTH, PE, PP, CME OF
T&M ASSOCIATES AS
ALTERNATE MUNICIPAL ENGINEER FOR
THE BOROUGH OF SHIP BOTTOM**

WHEREAS, the Borough of Ship Bottom is in need of the services of an alternate municipal engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Jason Worth, PE, PP, CME, CPWM is duly qualified to serve as an alternate municipal engineer for the Borough of Ship Bottom; and

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WHEREAS, it is the desire of the governing body to appoint Robert Hunter, PE, PP, CME, CPWM of the firm of T&M Associates as alternate municipal engineer; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this Resolution may exceed \$17,500 in the 2024 municipal budget; and

WHEREAS, the anticipated term of this contract is from January 1, 2024 until December 31, 2024; and

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2024 municipal budget; and

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Jason Worth from T & M Associates FOR THE provision of Alternate Borough Engineer for an amount not to exceed \$45,000. The funds which are available for this contract are found in the following line item appropriations or ordinances: Engineering O&E; and

Kathleen Flanagan, CFO

WHEREAS, the firm of T&M Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of T&M Associates 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 T&M Associates from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contract for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

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 Jason Worth, PE, PP, CME, CPWM of the firm of T&M Associates is hereby appointed as alternate municipal engineer for the Borough of Ship Bottom for a term commencing January 1, 2024 and ending December 31, 2024, or upon 30 days written notice by either party.
- B. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Jason Worth, PE, PP, CME, CPWM of the firm of T&M Associates.
- 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
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because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
- D. A notice of this action shall be printed once in an official newspaper of the Borough of Ship Bottom.
- E. This Resolution takes effect January 1, 2024.
- F. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Jason Worth, PE, PP, CME, CPWM of the firm of T&M Associates.
- G. That a certificate of availability of funds has been executed by the Chief Financial Officer. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Engineering O/E.
- 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 and the Determination of Value will be attached to the contract.

Motion: Councilman English

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Second: Councilman Valyo

Dated: January 4, 2024

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

:

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

6. 2024-15 Appointing Alternate Engineer – Edward Vernick, Remington & Vernick

**RESOLUTION 2024-15
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING EDWARD VERNICK, PE, CME OF
REMINGTON & VERNICK AS
ALTERNATE MUNICIPAL ENGINEER FOR
THE BOROUGH OF SHIP BOTTOM**

WHEREAS, the Borough of Ship Bottom is in need of the services of an alternate municipal engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Edward Vernick, PE, CME, is duly qualified to serve as an alternate municipal engineer for the Borough of Ship Bottom; and

WHEREAS, it is the desire of the governing body to appoint Edward Vernick, PE, CME, of the firm of Remington & Vernick as alternate municipal engineer; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this Resolution may exceed \$17,500 in the 2024 municipal budget; and

WHEREAS, the anticipated term of this contract is from January 1, 2024 until December 31, 2024; and

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2024 municipal budget; and

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Remington & Vernick FOR THE provision of Alternate Borough Engineer for an amount not to exceed \$45,000. The funds which are available for this contract are found in the following line item appropriations or ordinances: Engineering O&E; and

Kathleen Flanagan, CFO

WHEREAS, the firm of Remington & Vernick, has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Remington & Vernick 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 Remington & Vernick from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contract for “Professional Services” without competitive bids and requires that the Resolution and contract be made available for public inspection.

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. Edward Vernick, PE, CME of the firm of Remington & Vernick is hereby appointed as alternate municipal engineer for the Borough of Ship Bottom for a term commencing January 1, 2024 and ending December 31, 2024, or upon 30 days written notice by either party.
- B. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Edward Vernick, PE, CME of the firm of Remington & Vernick.
- C. This contract is awarded without competitive bidding as a “Professional Service” in accordance

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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. A notice of this action shall be printed once in an official newspaper of the Borough of Ship Bottom.
- E. This Resolution takes effect January 1, 2024.
- F. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Edward Vernick, PE, CME of the firm of Remington & Vernick.
- G. That a certificate of availability of funds has been executed by the Chief Financial Officer. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Engineering O/E.
- 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 and the Determination of Value will be attached to the contract.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

- 7. 2024-16 Appointing Financial Advisors – Anthony Inverso, Phoenix Advisors

RESOLUTION 2024-16

**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF
NEW JERSEY, APPOINTING ANTHONY P. INVERSO OF PHOENIX ADVISORS, LLC AS
CONTINUING DISCLOSURE AGENT AND INDEPENDENT REGISTERED
MUNICIPAL ADVISOR OF RECORD**

WHEREAS, the Borough of Ship Bottom (hereinafter referred to as the “Borough”) is in need of retaining the services of a Continuing Disclosure Agent and Independent Registered Municipal Advisor of Records in order to ascertain the Borough’s compliance with any Continuing Disclosure Agreements (hereinafter “CDA”) executed in connection with the Borough’s issuance of bonds and to correct any filing deficiencies; and

WHEREAS, the Borough believes it is beneficial to retain assistance of appropriately registered experts in the field of municipal bond finance, with knowledge and experience in these matters, to assist in assuring compliance with CDA’s and to stand ready to provide advice as needed with the issuance of Borough debt as municipal advisor of record; and

WHEREAS, Phoenix Advisors, LLC provides such continuing disclosure services and is an Independent Registered Municipal Advisor under the Security and Exchange Commission Regulations; and

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Phoenix Advisors FOR THE provision of Municipal Advisor for an amount not to exceed \$17,500. The funds which are available for this contract are found in the following line-item appropriations or ordinances: Finance O & E; and

Kathleen Flanagan, CFO

WHEREAS, Phoenix Advisors, LLC has submitted a Continuing Disclosure and Registered Municipal Advisor of Record Proposal and 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:

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1. The Borough does hereby appoint Anthony P. Inverso of Phoenix Advisors, LLC to serve as its Continuing Disclosure Agent and Independent Municipal Advisor of Record.
2. The scope of services to be provided by Phoenix Advisors, LLC as Continuing Disclosure Agent and Independent Registered Municipal Advisor of Record, as well as compensation for such services, shall be in accordance with the proposal and agreement, which is on file in the office of the Borough Clerk.
3. The governing body does hereby authorize the Mayor to execute and the Borough Clerk to attest to any and all necessary documents in order to implement the intent of this Resolution.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

8. 2024-17 Appointing Appraisal Services – Henry Mancini, Mancini & Associates

RESOLUTION 2024-17

**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF
NEW JERSEY,
APPOINTING HENRY J. MANCINI, M.A.I, C.R.E OF
HENRY J. MANCINI AND ASSOCIATES, INC.
FOR APPRAISAL SERVICES**

WHEREAS, it is the desire of the governing body to appoint Henry J. Mancini, M.A.I., C.R.E. of Henry J. Mancini and Associates, Inc. for expert appraisal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Henry J. Mancini, M.A.I., C.R.E. is duly qualified to serve as an expert appraiser;
and

WHEREAS, the purchasing agent of the Borough has determined and certified in writing that the value of the appraisal services will not exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Henry J. Mancini and Associates, Inc. has submitted a proposal indicating they will provide the appraisal services for the amounts as set forth in the proposal, a copy of which is attached to the contract; and

WHEREAS, Henry J. Mancini and Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Henry J. Mancini and Associates, Inc. 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 Henry J. Mancini and Associates, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Henry J. Mancini, M.A.I., C.R.E., FOR THE provision of Appraisal services for an amount not to exceed \$17,500. The funds which are available for this contract are found in the following line-item appropriations or ordinances: Administrative & Executive O&E; and

Kathleen Flanagan, CFO

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq. authorizes the award of contracts for “professional services” without competitive bids and requires that the resolution and contract be made available for public inspection.

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 Henry J. Mancini, M.A.I., C.R.E. is hereby awarded a contract to serve as an expert appraiser for the Borough of Ship Bottom.
2. That the Mayor is authorized to execute and the Borough Clerk to attest the attached agreement with Henry J. Mancini, M.A.I., C.R.E. in accordance with the provisions of this resolution.

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3. That the contract shall be an open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year. The term of the contract shall be for one year from the date of award. No services shall be rendered under the contract until the Chief Financial Officer has certified the availability of funds for such services.
4. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-1(a)(i) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
5. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
6. That the Business Disclosure Entity Certification and the determination of value be placed on file with this resolution.
7. This resolution shall take effect January 1, 2024.
8. A certified copy of this resolution, together with the contract attached hereto, shall be provided by the Borough Clerk to the Chief Financial Officer and to Henry J. Mancini, M.A.I., C.R.E.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

9. 2024-18 Appointing Special Counsel – Jeffrey Winitsky, Parker McCay

RESOLUTION 2024-18

**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF
NEW JERSEY, APPOINTING JEFFREY WINITSKY, ESQ.
OF THE FIRM OF PARKER McCAY
AS SPECIAL COUNSEL
FOR THE BOROUGH OF SHIP BOTTOM**

WHEREAS, from time to time because of a conflict of interest or other reasons, the need for special counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the governing body desires to appoint Jeffrey Winitsky, Esq. of the firm of Parker McCay, LLC as special counsel; and

WHEREAS, the anticipated term of this contract is from January 1, 2024 until December 31, 2024; and

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

WHEREAS, The Chief Financial Officer for the Borough of Ship Bottom, does hereby certify that adequate funds are available for a service agreement with Jeffrey Winitsky, Esq., FOR THE provision of Special Counsel for an amount not to exceed \$5,000. The funds which are available for this contract are found in the following line item appropriations or ordinances: Legal O&E; 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 Jeffrey Winitsky, Esq. is hereby appointed as special counsel to represent the Borough.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Jeffrey Winitsky, Esq. in accordance with the provisions of this Resolution.

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- 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 January 1, 2024 to December 31, 2024 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 Jeffrey Winitsky, Esq.
- f. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
- g. This Resolution takes effect January 1, 2024
- 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.

Motion: Councilman English

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a Meeting of the Borough Council held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

10. 2024-19 Authorizing Check Signers

**RESOLUTION 2024-19
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING FACSIMILE SIGNATURES
OF BOROUGH OFFICIALS**

WHEREAS, the undersigned hereby certifies to the Bank of America, Fulton Bank, Ocean First Bank, Sun Bank, TD Bank, and Wells Fargo, that Kristy DeBoer, Secretary and Municipal Clerk of the Borough of Ship Bottom, New Jersey, a Corporation duly organized under the existing laws of the State of New Jersey, and that the following is a Resolution duly adopted by the Mayor and Council of said Corporation at a meeting held January 4, 2024, at which time a quorum was present, and that such Resolution has not been rescinded or modified.

NOW, THEREFORE, BE IT RESOLVED, that the aforementioned banks as designated depositories of this Corporation be, and it is hereby requested, authorized and directed to honor checks, drafts, or other orders for payment of money drawn in this Corporation name, including those payable to the individual order of any person or persons whose name or names appear thereon as signed or signers thereof, when bearing or purporting to bear the facsimile of anyone of the following:

WILLIAM HUELSENBECK, MAYOR

KATHLEEN FLANAGAN, EDWARD ENGLISH, TOM TALLON AND DAVID HARTMAN will use true signatures on all checks.

And the said Banks shall be entitled to honor and charge this Corporation for such checks, drafts, or other orders regardless of by whom or by what means for actual purported facsimile signature or signatures resemble the facsimile specimens duly certified to or filed with the said Banks by the Secretary or other officer of this Corporation.

I further certify that there is no provision in the Charter-by-laws of said Corporation limiting the power of

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the Mayor and Council to pass the foregoing Resolution and that the same is in conformity with the provisions of said Charter-by-law.

Motion: Councilman Butkus
Second: Councilman English
Dated: January 4, 2024
Roll Call: Hartman, Tallon, Valyo, English, Butkus, Rossi, all aye.

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

11. 2024-20 Authorizing Canceling of Delinquent Taxes less than \$10.00

**RESOLUTION 2024-20
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE TAX COLLECTOR TO CANCEL
TAX REFUNDS AND/OR DELINQUENCIES OF LESS THAN \$10.00**

WHEREAS, the Governing Body of the Borough of Ship Bottom finds and declares that N.J.S.A 40A:5-17-1 empowers authorized municipal employees to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars, and

WHEREAS, the Governing Body further finds and declares that the Municipal Tax Collector is qualified to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars, and

WHEREAS, the Governing Body further finds and declares that it is in the best interest of the citizens of the Borough of Ship Bottom for the Municipal Tax Collector to be authorized to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars in accordance with
N.J.S.A. 40A:5-17-1;

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Ship Bottom that the Municipal Tax Collector, Dawn Annarumma is hereby authorized to process the cancellation of tax refunds or delinquencies of less than Ten (\$10.00) Dollars during the calendar year of 2024 in accordance with N.J.S.A. 40A:5-17-1.

Motion: Councilman Hartman
Second: Councilman Valyo
Dated: January 4, 2024
Roll Call: Hartman, Tallon, Valyo, English, Butkus, Rossi, all aye

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

12. 2024-21 Appointing Walter Higgins as Agent for Taxing District

**RESOLUTION 2024-21
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING WALTER R. HIGGINS TO ACT AS THE
AGENT FOR THE TAXING DISTRICT FOR 2024**

WHEREAS, from time to time the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical error in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year or a property becomes subject to a roll-back assessment; and

WHEREAS, the Governing Body of the Taxing District of the Borough of Ship Bottom is desirous that every taxpayer pays his fair share of taxes; and

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WHEREAS, if the above discovered errors are not corrected, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS, the method for correcting such errors is to file a Petition of Appeal or Complaint with the Ocean County Board of Taxation.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Taxing District of the Borough of Ship Bottom that the Tax Assessor, Walter R. Higgins, is hereby authorized to act as the agent for the Taxing District during the year of 2024 and file a Petition of Appeal or Complaint with the Ocean County Board of Taxation to correct such assessments to the proper value and that a copy of any Petition of Appeal or Complaint filed with the Ocean County Board of Taxation under this Resolution be filed with the Municipal Clerk.

BE IT FURTHER RESOLVED, that the Tax Assessor, Walter R. Higgins, is hereby appointed to execute stipulations of settlement on any Tax Appeal or Complaint filed by the taxing district or by a taxpayer in the year 2024.

BE IT FURTHER RESOLVED, that on or before June 1st of each year, the Assessor shall notify the Chief Finance Officer and the Governing Body of all tax appeals.

Motion: Councilman Rossi

Second: Councilman Hartman

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

13. 2024-22 Designating Interest Rates for Delinquent Tax/Water/Sewer Charges 2024

**RESOLUTION 2024-22
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
DESIGNATING INTEREST RATES ON DELINQUENT
TAXES AND WATER/ SEWER CHARGES FOR 2024**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that an interest charge of eight per cent (8%) per annum on the first \$1,500.00 delinquency and eighteen per cent (18%) per annum on any amount in excess of \$1,500.00 is to be calculated from the date the tax was payable, until the date of actual payment. No interest shall be charged if payment of any installment is made within the tenth (10th) day following the date on which same became payable.

Delinquency means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.

BE IT FURTHER RESOLVED, that a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year, shall be charged a penalty of six percent (6%) on the amount of the delinquency.

Motion: Councilman Butkus

Second: Councilman Hartman

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

14. 2024-23 Designating Certifying Officer- Pension and Benefits

**RESOLUTION 2024-23
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,**

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**COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING CERTIFYING OFFICER FOR DIVISION OF PENSIONS AND BENEFITS**

WHEREAS, the State of New Jersey Department of Treasury, Division of Pensions and Benefits requires all municipalities to designate a Certifying Officer and Supervising Certifying Officer to certify the accuracy and validity of all documents and forms sent to the Division of Pensions and Benefits.

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

1. The Certifying Officer for the Borough of Ship Bottom Public Employees Retirement System and Police and Fire Retirement System shall be Kelley Nasti, Administrative Assistant.
2. The Supervising Certifying Officer for the Borough of Ship Bottom Employees Retirement System and Police and Fire Retirement System shall be Kathleen Flanagan, CFO.
3. A certified copy of this resolution shall be filed with the State of New Jersey, Department of Treasury, Division of Pension and Benefits.

Motion: Councilman Hartman

Second: Councilman Valyo

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

15. 2024-24 Appointing Emergency Management Personnel

**RESOLUTION 2024-24
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM.
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING EMERGENCY MANAGEMENT
PERSONNEL**

WHEREAS, the Borough of Ship Bottom created an Emergency Management Council composed of not more than fifteen members in accordance with N.J.S.A. App. A:9-41; and

WHEREAS, the law further stipulates that such appointments shall be made by the Mayor or the Chief Executive Officer of the municipality and shall hold office at the will and pleasure of the appointing authority; and

WHEREAS, the Mayor wishes to appoint Joseph Valyo as the Emergency Management Coordinator for a term from January 1, 2024 until December 31, 2026; and

WHEREAS, the Mayor wishes to appoint Sgt. Edward Williams as Deputy Emergency Management Coordinator for a term from January 1, 2024 until December 31, 2026.

WHEREAS, the Mayor wished to appoint Mr. Mark Czarasty as the Alternate Deputy Emergency Management Coordinator for a term from January 1, 2024 until December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey, that appointments to the Emergency Management Council are as follows:

1. Joseph Valyo - Emergency Management Coordinator-with compensation waived due to position as Councilman
2. Sgt. Edward Williams - Deputy Emergency Management Coordinator- with compensation of \$1,250 per year.
3. Mark Czarasty – Alternate Deputy Emergency Management Coordinator- with compensation of \$750.00

BE IT FURTHER RESOLVED that this resolution takes effect January 1, 2024 and the appointment is for a 3 (three) year term from January 1, 2024 until December 31, 2026.

Motion: Councilman Butkus

Second: Councilman English

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Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting that was held on January 4, 2024 .

Kristy DeBoer, RMC

16. 2024-25 Appointing Deputy Municipal Clerk

**RESOLUTION 2024-25
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING SARA DELA CRUZ AS DEPUTY MUNICIPAL CLERK**

WHEREAS, Sara Dela Cruz was appointed as Deputy Municipal Clerk effective April 26, 2017 in accordance with an Employment Agreement; and

WHEREAS, it is the desire of the governing body to reappoint Sara Dela Cruz as the Deputy Municipal Clerk for a term of January 1, 2024 until December 31, 2024; and

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 Sara Dela Cruz is hereby reappointed as Deputy Municipal Clerk.
2. That this Appointment is in effect from January 1, 2024 until December 31, 2024.
3. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to the Chief Financial Officer and to Sara Dela Cruz.

Motion: Councilman Rossi

Second: Councilman English

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, RMC, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at a regular meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

17. 2024-26 Ratifying Positions of Tenure, Personnel and Appointments

**RESOLUTION 2024-26
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RATIFYING POSITIONS OF TENURED OFFICIALS,
PERSONNEL AND APPOINTMENTS FOR 2024**

WHEREAS, the following officials are tenured within the Borough of Ship Bottom:

Chief Finance Officer	Kathleen Flanagan
Borough Clerk	Kristy DeBoer
Tax Assessor	Walter Higgins
Tax Collector	Dawn Annarumma

NOW, THEREFORE, BE IT RESOLVED, that the following personnel are hereby employed within the Borough of Ship Bottom in 2024:

Assistant to Finance Department	Steve LaMarco
Borough Coordinator	Kathleen Flanagan
Court Administrator	Karen Garcia
Community Rating System Coordinator	Kristy DeBoer
Celebrations Coordinator	Kristy DeBoer
Code Enforcement Officer	Matthew Bernstein

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Clean Communities Coordinator	Matthew Bernstein
Confidential Assistant to Borough Coordinator	Kelley Nasti
Deputy Municipal Clerk	Sara Dela Cruz
Deputy Registrar	Sara Dela Cruz
Deputy Zoning Officer	Matthew Bernstein
Mun. Assessment Search Officer	Kristy DeBoer
Police Clerk/Police Payroll Clerk	James Gesicki
Qualified Purchasing Agent	Kathleen Flanagan
Registrar	Kristy DeBoer
Recycling Coordinator	Matthew Bernstein
Superintendent of Public Works	Ralph Barnett
Safety Coordinator	Ralph Barnett
Tax Search Officer	Dawn Annarumma
Technical Assistant of Construction Office	Patricia Gresko
Violations Bureau Clerk	Mary O'Hare

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, that the following are hereby appointed to special committees:

American Disabilities Act Coordinator	Kristy DeBoer
American Disabilities Act Committee	Tom Tallon
Public Agency Compliance Officer	Kathleen Flanagan (P.A.C.O.)
Joint Insurance Fund Commissioner	Kathleen Flanagan
Alt. Joint Insurance Fund Commissioner	Tom Tallon

Motion: Councilman English
Second: Councilman Valyo
Dated: January 4, 2024
Roll Call: Hartman, Tallon, Valyo, English, Butkus, Rossi, all aye.

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC

18. 2024-27 Civil Rights Policy

**RESOLUTION 2024-27
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
TO AFFIRM THE BOROUGH OF SHIP BOTTOM'S CIVIL RIGHTS
POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES,
EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS,
INDEPENDENT CONTRACTORS, AND MEMBERS OF THE
PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL
EMPLOYEES, OFFICIALS AND VOLUNTEERS**

WHEREAS, it is the policy of the Borough of Ship Bottom to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Ship Bottom has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Ship Bottom as follows:

Section 1: No official, employee, appointee or volunteer of the Borough of Ship Bottom by whatever title known, or any entity that is in any way a part of the Borough of Ship Bottom shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Ship Bottom's business or using the facilities or property of the Borough of Ship Bottom.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity,

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including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Ship Bottom to provide services that otherwise could be performed by the Borough of Ship Bottom

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Administrator or Municipal Clerk shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Administrator or Municipal Clerk shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Ship Bottom as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Administrator or Municipal Clerk shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Administrator or Municipal Clerk shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Ship Bottom. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Ship Bottom's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Ship Bottom in order for the public to be made aware of this policy and the Borough of Ship Bottom's commitment to the implementation and enforcement of this policy.

Motion: Councilman Butkus
Second: Councilman Valyo
Dated: January 4, 2024
Roll Call: Hartman, Tallon, Valyo, English, Butkus, Rossi, all aye

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

19. 2024-28 Temporary Budget

RESOLUTION 2024-28

RESOLUTION OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR A TEMPORARY BUDGET FOR THE BOROUGH OF SHIP BOTTOM

WHEREAS, NJS A 40A:4-19 provides for the making of temporary appropriations for the period January 1, 2024 to the adoption of the 2024 Budget; and

WHEREAS, the Governing Body desires to provide for the orderly method of paying claims during the period prior to the adoption of the 2024 Budget.

NOW, THEREFORE, BE IT RESOLVED that the following appropriations which do not exceed twenty-six and twenty-five hundredths percent (26.25%) of the 2023 appropriations exclusive of Debt Service, Capital Improvement Fund and Public Assistance, are hereby adopted as the 2024 Temporary Budget.

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BE IT FURTHER RESOLVED that the following appropriations for interest and debt redemption charges are hereby adopted as the 2024 Temporary Debt Service Budget.

<u>CURRENT FUND:</u>	Salaries & Wages	Other Expenses
<u>GENERAL GOVERNMENT:</u>		
Mayor & Council	\$15,000.00	\$1,500.00
Administration and Executive	\$17,500.00	\$2,500.00
Accumulated Absence		\$500.00
Municipal Clerk	\$37,500.00	\$12,000.00
Financial Administration	\$30,000.00	\$12,000.00
Audit Services		\$13,750.00
Human Resources (Personnel)		\$15,000.00
Revenue Administration (Tax)	\$25,000.00	\$7,500.00
Tax Assessor	\$10,000.00	\$3,750.00
Legal Services		\$35,000.00
Liquidation of Tax Title Liens		\$100.00
Engineering Services and Costs		\$35,000.00
 <u>Land Use Administration:</u>		
Land Use Board	\$8,500.00	\$25,000.00
Zoning Enforcement	\$25,000.00	\$5,000.00
 <u>Insurance:</u>		
Liability and Other Insurance		\$75,000.00
Workers Compensation		\$95,000.00
Employee Group Insurance		\$185,775.00
 <u>Public Safety Functions:</u>		
Police	\$470,000.00	\$45,000.00
Emergency Management Services	\$1,000.00	\$5,000.00
Municipal Court	\$30,000.00	\$3,750.00
Public Defender		\$2,375.00
Municipal Prosecutor		\$5,000.00
 <u>Public Works Functions:</u>		
Streets and Roads	\$45,000.00	\$42,500.00
Equipment, Maintenance & Repair	\$45,000.00	\$17,500.00
Garbage and Trash Removal		\$175,000.00
Sanitary Landfill Fees		\$60,000.00
Recycling	\$7,500.00	\$5,000.00
Public Buildings and Grounds	\$25,000.00	\$50,000.00
Other Code Enforcement	\$10,000.00	\$2,500.00
 <u>Health and Human Services:</u>		
Board of Health		\$20,000.00
Animal Control		\$3,000.00
 <u>Park and Recreation Functions:</u>		
Parks and Recreation	\$4,500.00	\$10,000.00
Beach Operation	\$10,000.00	\$50,000.00

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Beachfront Maintenance	\$60,000.00	\$25,000.00
Wharves, Docks & Bulkheads	\$6,250.00	\$15,000.00
Celebration of Public Events		\$20,000.00

Uniform Construction Code:

Construction	\$12,500.00	\$6,000.00
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Utility Expenses:

Electricity		\$25,000.00
Street Lighting		\$45,000.00
Telephone		\$17,500.00
Natural Gas		\$45,000.00
Gasoline		\$25,000.00

Statutory Expenditures:

Contribution to Social Security		\$75,000.00
Contribution to PERS		\$.00
Contributions to PFRS		\$.00
Contributions to DCRP		\$1,500.00
Unemployment Insurance		\$7,500.00

Shared Service Agreements:

Construction/Zoning Services		\$20,000.00
Dispatch-Other Expenses		\$20,000.00
Tax Collection	\$10,000.00	\$2,500.00
Transportation		\$20,000.00

L.O.S.A.P.

Fire Company
Ambulance Company

Exclusions:

Capital Improvements:

Debt Service:

Payment of Bond Principal		\$.00
Interest on Bonds		\$269,335.00
Green Trust Loan Program		\$9,939.00

Totals

	\$905,250.00	\$1,670,274.00
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Current Fund Operating Appropriations Grand Total

		\$2,575,524.00
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<u>DEDICATED WATER & SEWER UTILITY</u>	<u>Salaries & Wages</u>	<u>Other Expenses</u>
<u>Operating:</u>	\$85,000.00	\$375,000.00
<u>Statutory Expenditures:</u>		
Contribution to Social Security		\$6,375.00
Contribution to PERS		\$20,000.00
Unemployment Insurance		\$500.00
<u>Capital Improvements:</u>		
Capital Improvement Fund		\$50,000.00
<u>Debt Service:</u>		
Payment on Bond Principal		\$.00
Payment of Bond Interest		\$90,256.00
Infrastructure Loan Principal		\$115,415.00
Infrastructure Loan Interest		\$131,080.00
Totals	\$85,000.00	\$788,626.00
 Water/Sewer Operating Appropriations Grand Total		<u>\$873,626.00</u>

Motion: Councilman Butkus
 Second: Councilman Hartman
 Dated: January 4, 2024
 Roll Call: Hartman, Tallon, Valyo, English, Butkus, Rossi, all aye

CERTIFICATION

I, **KRISTY DEBOER**, Municipal Clerk do hereby certify that the foregoing resolution is a true copy of a resolution adopted by the Mayor and Council of the Borough of Ship Bottom on this 4th day of January, 2024 and hereunto set my hand and the official seal of the Borough of Ship Bottom.

KRISTY DEBOER, Municipal Clerk

20. 2024-29 Clarifying 2024 Appointment for Alternate Prosecutors

**RESOLUTION 2024-29
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF
NEW JERSEY,
CLARIFYING THE 2024 PROFESSIONAL SERVICES APPOINTMENT FOR ALTERNATE
PROSECUTOR FOR THE BOROUGH OF SHIP BOTTOM**

WHEREAS, the Municipal Council of the Borough of Ship Bottom duly adopted Resolution 2021-10, "Authorizing the Award Appointing Gregory P. McGuckin, Esq., Timothy J. McNichols, Esq., Martin J. Buckley, Esq. and Kelsey A. McGuckin-Anthony, Esq. of the Firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors as Alternate Municipal Prosecutor for the Borough of Ship Bottom"; and

WHEREAS, pursuant to NJ State Law each attorney serving as alternate prosecutor shall be named and appointed separately; and

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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Ship Bottom that following Counsel from the law firm Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors be and are hereby noted.

Gregory P. McGuckin, Esq.
Timothy J. McNichols, Esq.
Martin J. Buckley, Esq.
Kelsey A. McGuckin-Anthony, Esq.
Patrick F. Varga, Esq.

Motion: Councilman Rossi

Second: Councilman Butkus

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, RMC, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing resolution was duly adopted by the Municipal Council of the Borough of Ship Bottom at the reorganization meeting held on the 4TH day of January, 2024, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 4TH day of January, 2024

Kristy DeBoer, RMC
Municipal Clerk

21. 2024-30 Authorizing Cash Management Plan

**RESOLUTION 2024-30
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING A CASH MANAGEMENT PLAN**

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ship Bottom, County of Ocean, hereby adopt the following as the Cash Management Plan of the Borough of Ship Bottom for the fiscal year 2024:

Cash Management Plan of the Borough of Ship Bottom,
in the County of Ocean, New Jersey

I. Statement of Purpose

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Borough of Ship Bottom ("Borough"), pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. Identification of Funds and Accounts to be Covered by the Plan

A. The plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough:

1. Current Fund
2. Federal and State Grant Fund
3. Dog License Fund
4. Trust - Other Fund
 - a. Payroll Account
 - b. Tax Certificate Reserve
 - c. Forfeited (Confiscated) Property Trust Fund
 - d. Cash Bonds/Inspection & Review Fees/Developers' Escrow Trust Fund
 - e. Public Defender Trust Fund
 - f. Parking Offense Adjudication Act Trust Fund
 - g. Any other trust funds that may be approved, during the term of this Plan, as a dedication by rider to the municipal budget of the Borough
5. Capital Fund

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6. Water/Sewer Utility Operating Fund
7. Water/Sewer Utility Capital Fund
8. Public Assistance Fund

B. It is understood that this Plan is not intended to cover certain funds and accounts of the Borough, specifically:

1. Bond and Interest Account

III. Designation of Officials of the Borough Authorized to make Deposits and Investments under the Plan

The Chief Financial Officer of the Borough (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or Permitted Investments, such

officials of the Borough are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials,

IV. Designation of Depositories

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

- A. TD Bank
- B. Wells Fargo Bank
- C. Bank of America
- D. Sun Bank
- E. Fulton Bank
- F. Ocean First

G. Any other Bank or Savings and Loan Association insured by the F.D.I.C. or the F.S.L.I.C., and located in the State of New Jersey, that may be approved during the term of this Plan, as a depository of Borough funds

H. All such depositories, when approved, shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official referred to in Section III above.

V. Authorized Investments

A. Except as specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
2. Government money market mutual funds;
3. Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of investment of the Department of the Treasury for investment by Local Units;
6. Local government investment pools;
7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or
Agreements for the repurchase of fully collateralized securities if:
 - a) The underlying securities are permitted investments pursuant to paragraphs 1 and 3 of this subsection A;
 - b) The custody of collateral is offered to a third party
 - c) The maturity of title agreement is not more than 30 days;
 - d) The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9-41); and
 - e) A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

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Government Money Market Mutual Fund. An investment company or investment trust:

- a) Which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- b) The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- c) Which has:
 - i. Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - ii. Retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the Investment Advisors Act of 1940," 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- a) Which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b) Which is rated in the highest category by a nationally recognized statistical rating organization;
- c) Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- d) Which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P. L. 1968, c.410 (C.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- e) Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f) Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

B. Notwithstanding the above authorization, the moneys on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:
[none].

VI. Safekeeping, Custody, Payment and Acknowledgment of Receipt of Plan
To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough, then such instrument or security

shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the Borough or by a third party custodian prior to or upon the release of the Borough's funds. To assure that all parties with whom the Borough deals either by way of Deposits or Permitted investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official,

VIII. Term of Plan

This Resolution authorizes that this Plan shall be in effect from January 1, 2024 to December 31, 2024. The Plan may be amended from time to time. To the extent that any amendment is adopted by the governing body, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

Motion: Councilman Hartman
Second: Councilman Valyo

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Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

22. 2024-31 Appointing Events Coordinator

**RESOLUTION 2024-31
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING EVENT COORDINATOR**

WHEREAS, the Borough of Ship Bottom is appointing Kristy DeBoer as Event Coordinator; and NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Ship Bottom, County of Ocean, State of New Jersey as follows:

3. Kristy DeBoer is appointed as Event Coordinator January 1, 2024 until December 31, 2024
4. The paid stipend for the position will be \$9,500.00
5. As Event Coordinator Kristy DeBoer will coordinate and run:
 - a. Summer Concerts
 - b. Christmas Parade
 - c. Tree Lighting
 - d. Day at the Bay
 - e. Trunk or Treat
 - f. Memorial Day
6. A certified copy of this resolution shall be forwarded to the Chief Financial Officer of the Borough of Ship Bottom.
- 7.

Motion: Councilman English

Second: Councilman Rossi

Dated: January 4, 2024

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

CERTIFICATION

I, Kristy DeBoer, RMC, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at a regular meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

23. 2024-32 Ratifying Appointments to Land Use Board

**RESOLUTION 2024-32
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RATIFYING APPOINTMENTS TO THE
LAND USE REVIEW BOARD**

NOW, THEREFORE, BE IT RESOLVED, that the following appointments to the Land Use Review Board have been made by the Mayor and are hereby ratified by the Borough Council:

Class I Member (1-year term) Expiration 12/31/2024 (Mayor's Designee)	Robert Butkus
Class II Member (1-year term)	Mark Czarzasty
Class III Member (1-year term) Expiration 12/31/2024	Edward English
Class IV Member (4 year term) Expiration 12/31/2027	Ken Yankowski
Alternate #1 (2-year term) Expiration 12/31/2024 Filling an unexpired term for	James Bishop

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Ken Yankowski

Motion: Councilman Butkus
Second: Councilman Valyo
Dated: January 4, 2024
Roll Call: Hartman, Tallon, English, Valyo, Butkus, Rossi, all aye

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at the Reorganization Meeting held on January 4, 2024.

Kristy DeBoer, RMC
Municipal Clerk

24. 2024-33 Preliminary Investigation

RESOLUTION 2024-33

**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF
NEW JERSEY DIRECTING THE LAND USE REVIEW BOARD TO UNDERTAKE A
PRELIMINARY INVESTIGATION FOR THE PURPOSES OF DETERMINING WHETHER
CERTAIN PROPERTY MAY BE DESIGNATED AS AN AREA IN NEED OF
REDEVELOPMENT**

WHEREAS, pursuant to the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), the Borough of Ship Bottom (the "Borough") is empowered to serve as a redevelopment entity for purposes of advancing the redevelopment of underutilized properties within its boundaries; and WHEREAS, a first step in any consideration of redevelopment of property is the direction from and authorization by the Borough for the Borough's Land Use Review Board (the "Board") to conduct an investigation into whether a given property may satisfy the conditions for redevelopment under the terms of the LRHL; and

WHEREAS, the Borough has recognized that the LBI Grade School located at 201-267 W. 20th Street, and otherwise known as Block 48, Lot 1 on the official tax maps of the Borough (the "Property"), was originally listed for sale in 2011, and that the efforts of the school district to redevelop or sell the Property have not as of yet been successful; and

WHEREAS, the Borough wishes to authorize the Board to conduct a preliminary investigation into whether the Property may satisfy the criteria for a Condemnation Redevelopment Area as set forth at N.J.S.A. 40A:12A-5; and

WHEREAS, the Mayor and Council sees that it is in the best interest of the Borough and its residents to authorize such a preliminary investigation of the Property as a Condemnation Redevelopment Area by the Board and its professionals.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF SHIP BOTTOM AS FOLLOWS:

1. The Borough of Ship Bottom Land Use Review Board is hereby authorized and directed to undertake a preliminary investigation of the Property in order to recommend whether the Property should be a Condemnation Redevelopment Area under the criteria set forth in the LRHL.
2. The Board shall conduct a hearing upon notice as required by the LRHL, at which hearing all persons who are interested in or would be affected by a determination that the Property is a Condemnation Redevelopment Area. All evidence provided whether for or against such designation shall be considered as part of the public record.
3. The Board shall produce a written recommendation to the Borough as to whether the Property or any portion thereof properly meets the conditions of an area in need of redevelopment.

Motion: Councilman Rossi
Second: Councilman Valyo
Dated: January 4, 2024
Roll Call: Hartman, English, Valyo, Butkus, Rossi, all aye. Councilman Tallon, present.

CERTIFICATION

I, KRISTY DEBOER, RMC, Municipal Clerk for the Borough of Ship Bottom do hereby certify that the foregoing Resolution 2024-33 was duly adopted by the Mayor and Council at the meeting held on January 4, 2024, at 9:00 a.m.

Kristy DeBoer, RMC
Municipal Clerk

William Huelsenbeck
Mayor

8. **ORDINANCES**

1. 2024-01 Establishing a CAP Bank
The Mayor asked for a motion to introduce Ordinance 2024-01. Councilman Hartman made a motion, seconded by Councilman English. A roll call vote was heard with six in the affirmative, none opposed. Motion approved.

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**ORDINANCE 2024-01
AN ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY
TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
FOR THE YEAR 2024 (N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, (N.J.S.A. 40A:4-45.1) et seq., provides that in the preparation of its Annual Budget, a municipality shall limit any increase in said Budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

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

WHEREAS, the Borough Council of the Borough of Ship Bottom in the County of Ocean, finds it advisable and necessary to increase the CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety, and welfare of the citizens; and

WHEREAS, the Borough Council hereby determine that a 1.0 % increase in the budget for said year, amounting to \$76,675.41 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Ship Bottom, in the County of Ocean, a majority of the full authorized membership of this Governing Body affirmatively concurring, that in the CY 2023 budget year, the final appropriations of the Borough of Ship Bottom shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$268,363.94, and that the CY 2023 municipal budget for the Borough of Ship Bottom be approved and adopted in accordance with this ordinance; and

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

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

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

**ORDINANCE 2024-01
AN ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY
TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
FOR THE YEAR 2024 (N.J.S.A. 40A:4-45.14)**

PUBLIC NOTICE OF INTRODUCTION

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance 2024-01 was introduced and passed by the Borough Council of Ship Bottom on first reading at a Borough Council Meeting held Tuesday, January 4, 2024 at 9:00 am. This ordinance is to exceed the Municipal Budget Appropriation Limits by 2.5%, from 1.0% to 3.5%, and to establish a Cap Bank for the year 2023 (N.J.S.A. 40A:4-45.14) The Ordinance will be considered for final passage and adoption after a public hearing thereon at a regular meeting of the Borough Council to be held, on Tuesday, January 23, 2023 at 6:30 p.m., or as soon thereafter as the matter may be reached. At this time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance. Copies of all Ordinances are available at no cost at the Municipal Clerk's Office located at 1621 Long Beach Boulevard, Ship Bottom, New Jersey, Monday through Friday from 9:00 a.m. to 4:30 pm

BOROUGH OF SHIP BOTTOM
IN THE COUNTY OF OCEAN, NEW JERSEY
KRISTY DEBOER, Municipal Clerk

2. 2024-02 Underground Utility and Sidewalks
The Mayor asked for a motion to introduce Ordinance 2024-01. Councilman Rossi made a motion, seconded by Councilman Butkus. A roll call vote was heard with six in the affirmative,

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none opposed. Motion approved

ORDINANCE 2024-02

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 16.52, WHICH PERTAINS TO GENERAL PROVISIONS AND DESIGN STANDARDS

STATEMENT OF PURPOSE

The purpose of this ordinance is to amend §16.52.150 to require the installation of sidewalks for subdivisions and site plans and to add §16.52.190 to require the installation of underground utilities for major subdivisions.

SECTION I

§16.52.150 is hereby amended to add subsection C(5) as follows.

5. Any person or property owner granted subdivision or site plan approval shall install sidewalks along the frontage to the property granted such approvals.

SECTION II

§16.52.190 is hereby added as follows.

§16.52.190 Electric and Telephone Utilities.

All major subdivisions shall require the serving utility for the underground installation of the utilities distribution supply lines and service connection in accordance with the provisions of the applicable standard terms and conditions incorporated as a part of its tariff as the same are then on file with the State of New Jersey Board of Public Utility Commissioners, and shall submit to the Land Use Board prior to the granting of final approval, a written instrument from each serving utility which shall evidence full compliance with the provisions of this paragraph; provided that in such subdivisions, lots which abut existing streets where overhead electric or telephone distribution supply lines have heretofore been installed on any portion of the streets involved may be supplied with electric and telephone service from such overhead lines or extensions thereof, but the service connections from the utilities overhead lines shall be installed underground.

SECTION III

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV

If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

Effective date.

This ordinance shall take effect after final adoption and publication as required by law.

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Mayor and Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey, held on Thursday, January 4, 2024, at 9:00 a.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Mayor and Council to be held on Thursday, January 23, 2024, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

Kristy DeBoer, RMC
Municipal Clerk

3. 2024-03 Variance Checklist
The Mayor asked for a motion to introduce Ordinance 2024-03. Councilman Valyo made a motion, seconded by Councilman Butkus. A roll call vote was heard with six in the affirmative, none opposed. Motion approved.

ORDINANCE 2024-03

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING TITLE 16 TO INCLUDE A CHECKLIST FOR VARIANCE RELIEF

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SOUGHT BEFORE THE LAND USE REVIEW BOARD

WHEREAS, the Borough of Ship Bottom Land Use Review Board (the "Board") is a joint land use board, vested with the authority to hear applications for development as both a municipal planning board and as a board of adjustment under the Municipal Land Use Law; and

WHEREAS, Title 16 and the application materials promulgated thereby do not presently provide for additional fundamental information where an applicant is seeking a variance pursuant to N.J.S.A. 40:55D-70(d)(1)-(6) that would assist the Board in determining whether an application is administratively complete prior to scheduling a substantive hearing on an application for development; and WHEREAS, such a checklist and the information requested thereby would be in the interest of both the Board and the applicants, as same would require focus on the specific relief and magnitude of same being requested.

THE MAYOR AND COUNCIL OF THE BOROUGH OF SHIP BOTTOM DOES HEREBY ORDAIN:

SECTION I

§16.76.060 entitled "Checklist for Use Variance Relief," is hereby created as follows:

- A. Any application for development filed with the Land Use Review Board by which an applicant seeks relief pursuant to N.J.S.A. 40:55D-70(d)(1)-(6) shall be deemed administratively incomplete unless and until the materials identified in this section are submitted to the Board for its review, in addition to any materials required under Section 16.80 for either subdivision or site plan review.
- B. The applicant shall submit to the administrative officer eighteen (18) copies of the following on the timelines prescribed in Section 16.80:
- (i) a traffic impact study, analyzing the differences between uses permitted on the subject parcel and the uses as proposed, as well as detailing any proposed off-tract improvements required to maintain existing levels of service within the surrounding roadway network, all based on traffic data collected within six (6) months of the date upon which the application for development is filed with the Board;
 - (ii) a planning report, signed and sealed by a professional planner licensed in the State of New Jersey, in support of the application for development, which must specifically detail:
 - (a) the bases upon which the applicant and its professionals believe the requested variance relief ought to be granted;
 - (b) a community impact analysis, focusing on population changes, school impacts, municipal infrastructure and facilities, and any additional services to be required by the municipality for such a project.
 - (iii) a geotechnical report, detailing the appropriateness of the soils on the subject parcel for the proposed use;
 - (iv) if the subject parcel exceeds two (2) acres in size, an environmental impact study for the proposed development on the subject parcel, which reviews existing conditions and proposed impacts, including, but not limited to, the following:
 - (a) An inventory of existing environmental conditions at the subject parcel and surrounding area which shall describe air quality, water supply, hydrology, geology, soils and properties thereof, including capabilities and limitations, sewage systems, topography, slope, vegetation, habitats, noise characteristics and levels, demography, historical land use, aesthetics, and history;
 - (b) Air and water quality shall be described with reference to standards promulgated by the Department of Environmental Protection of the State of New Jersey;
 - (c) Soils shall be described with reference to criteria contained in the Ocean County Soil Conservation District standards and specifications;
 - (d) An assessment of the probable impact of the project upon all topics set forth in subsection (a) above;
 - (e) A listing and evaluation of adverse environmental impacts which cannot be avoided, with particular emphasis upon air or water pollution, increase in noise, damage to plant, tree and wildlife systems, damage to natural resources, displacement of people and businesses, and increase in sedimentation and siltation. Off-site impacts shall also be set forth and evaluated;
 - (f) A description of steps to be taken to minimize adverse environmental impacts during construction and operation, both at the subject parcel and in the surrounding region, such description to be accompanied by necessary maps and schedules and other explanatory data as may be needed to clarify and explain the actions to be taken.
 - (v) color photographs of the subject parcel and any present uses, taken from the opposite curb line from any frontage.
- C. Any review of the administrative completeness of the application materials, and all requests for waivers of the foregoing requirements, shall be addressed by the administrative officer consistent with the processes outlined in Section 16.80.030(C).

SECTION II

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION III

If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section,

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REORGANIZATION MEETING
JANUARY 4, 2024 9:00 AM**

or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

EFFECTIVE DATE. This ordinance shall take effect after final adoption and publication as required by law.

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Mayor and Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey, held on Thursday, January 4, 2024, at 9:00 a.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Mayor and Council to be held on Thursday, January 23, 2024, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

Kristy DeBoer, RMC
Municipal Clerk

9. **PUBLIC COMMENT**

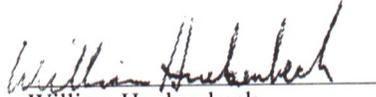
The Mayor opened the floor for public comment on a first by Councilman Hartman, seconded by Councilman Butkus and an all in favor vote. With no one wishing to speak, the Mayor closed the floor for comment with a motion by Councilman Butkus, seconded by Councilman Rossi and an all in favor vote.

10. **ADJOURN THE MEETING**

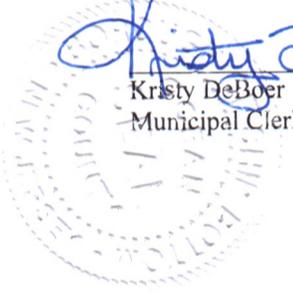
On motion by Councilman English, seconded by Councilman Rossi and an all in favor vote, the Mayor adjourned the meeting at 9:31 a.m.



Kristy DeBoer
Municipal Clerk



William Huelsenbeck
Mayor



MINUTES
BOROUGH OF SHIP BOTTOM
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