

**MINUTES
REGULAR MEETING OF THE
BOROUGH OF SHIP BOTTOM
JANUARY 23, 2024
6:30 PM**

1. **CALL CAUCUS TO ORDER**

The Mayor called the meeting to order at 6:30

2. **FLAG SALUTE AND PRAYER**

The Mayor led the flag salute and the Clerk lead the prayer

3. **STATEMENT OF NOTICE**

The Clerk read the statement of notice:

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. **ROLL CALL**

The clerk made note that the following were present:

COUNCILMAN HARTMAN
COUNCILMAN TALLON
COUNCILMAN VALYO
COUNCILMAN ENGLISH
COUNCILMAN ROSSI
Councilman Butkus was absent
Also present,
Kathleen Flanagan, CFO
Kristy DeBoer, Municipal Clerk

5. **CAUCUS DISCUSSION**

NONE

6. **CALL REGULAR MEETING TO ORDER**

The Mayor called the regular meeting to order.

7. **APPROVAL OF MINUTES**

The Mayor asked for a motion to approve the minutes as presented. Councilman English made a motion, seconded by Councilman Rossi. Valyo, English, Rossi, Hartman Tallon, all aye. Butkus was absent.

*December 28, 2023 Regular Meeting
December 28, 2023 Executive Session
January 4, 2024 Reorganization Meeting*

8. **NEW BUSINESS
RESOLUTIONS**

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

1. 2024-34 Payment of Bills

**RESOLUTION 2024-34
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$2,999,767.38**

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

NOW, THEREFORE BE IT RESOLVED that the approved vouchers in the amount of \$2,999,767.38 to be authorized to be paid upon verification of the Chief Financial Officer that there is sufficient money in the appropriated accounts, subject to adequate signatures and funding.

Motion: Councilman English
Second: Councilman Hartman
Dated: January 23, 2024

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

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 23, 2024.

Kristy DeBoer, RMC
Municipal Clerk

2. 2024-35 Accepting the Corrective Action Plan

**RESOLUTION 2024-35
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ADOPTING THE RECOMMENDATIONS OF THE BOROUGH AUDITOR AND ESTABLISHING A
CORRECTIVE ACTION PLAN**

WHEREAS, the Municipal Council of the Borough of Ship Bottom reviewed the 2022 audit prepared by the Borough Auditor at a meeting of the Mayor and Council on October 24, 2023; and

WHEREAS, the Borough Auditor has made two (2) recommendations and requests adoption of a resolution implementing the remedial actions set forth in the audit; and

WHEREAS, the Municipal Council of the Borough of Ship Bottom has reviewed the recommendations and has determined that the implementation of said recommendation are in the best interest of the Borough of Ship Bottom, and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Ship Bottom that the recommendation set forth in the 2022 audit be and is hereby adopted and is to be implemented per the attached plan set by the Borough Coordinator pursuant to the recommendations of the Borough Auditor.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to:

- 1) Division of Local Government Services
- 2) Chief Financial Officer
- 3) Borough Auditor

Motion: Councilman Hartman

Second: Councilman Valyo

Date: January 23, 2024

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

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 Mayor and Council of the Borough of Ship Bottom at a regular meeting held on the 23rd 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 23rd day of January, 2023.

Kristy DeBoer, RMC, Municipal Clerk

3. 2024-36 Authorizing Application for Recreation Grant

**RESOLUTION 2024-36
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING APPLICATION FOR RECREATION GRANT WITH THE NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS**

WHEREAS, the Borough of Ship Bottom desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to carry out a project at the John J. Guld Park for Improvements.

BE IT RESOLVED,

1. That the Borough of Ship Bottom does hereby authorize the application for such a grant; and
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Ship Bottom and the New Jersey Department of Community Affairs.

Be it further **RESOLVED**, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

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RA#03-2024

On premise 50/50 raffle April 13, 2024 2 pm -6 pm
(to be held at Joe Pop's Shore Bar, 2002 Long Beach Blvd., Ship Bottom, NJ 08008)

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

Motion: Councilman Rossi
Second: Councilman English
Dated: January 23, 2024
Roll Call: Valyo, English, Rossi, Hartman, Tallon, all aye. Butkus, absent.

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 23, 2024.

Kristy DeBoer, RMC
Municipal Clerk

6. 2024-39 Shared Service with LBT for Dispatch Services

RESOLUTION 2024-39

**A RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE
TOWNSHIP OF LONG BEACH IN ACCORDANCE WITH N.J.S.A. 40:8A-1 ET.SEQ. FOR
DISPATCHING SERVICES
TO BE PROVIDED BY THE TOWNSHIP OF LONG BEACH.**

WHEREAS, the Shared Services Act, N.J.S.A. 40:8A-1, et. seq. authorizes two or more municipalities to enter into a mutual service agreement for the provision of certain governmental services; and

WHEREAS, Section 4 of P.L. 1973, c.208(C.40:8A-4) has been amended and approved as Chapter 356, on January 5, 1996 to authorize that such agreements can be adopted by Resolution; and

WHEREAS, it is deemed to be in the public interest of the residents and taxpayers of the Borough of Ship Bottom to authorize the renewal and continuation of such agreement for police dispatching services; and

WHEREAS, it is the desire of the Governing Body of the Borough of Ship Bottom to authorize the execution of a renewal agreement with the Township of Long Beach for police dispatching services in accordance with the terms set forth in the said Agreement; and

WHEREAS, the Borough has requested that the Township furnish to the Borough general police dispatching services, NCIC Look-Up Services, name and address property look-up services and 911 emergency dispatching services; and

WHEREAS, the Township of Long Beach has agreed to provide said police dispatching services to the Borough of Ship Bottom between January 1, 2024 and ending December 31, 2026 at the following rates for the term of the contract:

January 1, 2024 to December 31, 2024	\$75,898.84
January 1, 2025 to December 31, 2025	78,175.81
January 1, 2026 to December 31, 2026	\$80,521.08

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Ship Bottom, County of Ocean, State of New Jersey, that the Mayor of the Borough of Ship Bottom is hereby authorized to execute the accompanying agreement with the Township of Long Beach for Police Dispatching from January 1, 2024 until December 31, 2026.

Motion: Councilman Tallon
Second: Councilman Valyo
Dated: January 23, 2024
Roll Call: Valyo, English, Rossi, Hartman, Tallon, all aye. Butkus, absent

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 23, 2024.

Kristy DeBoer, RMC

7. 2024-40 Change Order 34 JH Williams

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

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 a regular meeting held on January 23, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 23rd day of January, 2024.

Kristy DeBoer, RMC
Municipal Clerk

9. 2024-42 Budget Transfers

**RESOLUTION 2024-42
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING TRANSFERS BETWEEN
BUDGET APPROPRIATION RESERVES**

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

WHEREAS, said transfers shall occur in the first three months of the calendar year 2024.

NOW, THEREFORE BE IT RESOLVED (not less than two-thirds (2/3) of the governing body affirmatively confirming) that the following transfers be and are hereby made between budget appropriation reserves in the 2023 budget:

TO:	Water & Sewer Grounds Other Expenses	\$15,000.00	
	Solid Waste Other Expenses	\$18,000.00	
FROM:	Water & Sewer Salary and Wages	\$15,000.00	
	Sanitary Landfill Other Expenses	\$18,000.00	
	TOTAL	\$33,000.00	\$33,000.00

Motion: Councilman Rossi

Second: Councilman English

Dated: January 23, 2024

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

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 of the Borough of Ship Bottom at a regular meeting held on January 23, 2024.

Kristy DeBoer, RMC
Municipal Clerk

10. 2024-43 Authorizing Membership SB Fire Company-

**RESOLUTION 2024-43
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RATIFYING MEMBERSHIP IN THE SHIP BOTTOM
VOLUNTEER FIRE COMPANY NO. 1
PARRY DOUGLAS GOSLING
CASSANDRA ANN McDONNELL**

WHEREAS, Parry Gosling and Cassandra McDonnell have applied to become a member within the Ship Bottom Volunteer Fire Company No 1; and

NOW, THEREFORE, BE IT RESOLVED, that the applications of Parry Gosling and Cassandra McDonnell have been received and reviewed by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey,

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Ship bottom hereby ratifies the memberships of Parry Gosling and Cassandra McDonnell in the Ship Bottom Volunteer Fire Company No. 1.

Motion: Councilman Rossi
Second: Councilman Valyo

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Dated: January 23, 2024

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

CERTIFICATION

I, Kristy De Boer, 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 a regular meeting held on the 23rd day of January, 2023, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 23rd day of January, 2023.

Kristy De Boer, RMC
Municipal Clerk

ORDINANCES FOR INTRODUCTION

11. 2024-04 Amusement License Ordinance

The Mayor asked for a motion to introduce Ordinance 2024-04. Councilman English made a motion, seconded by Councilman Rossi. A rollcall vote was heard with five in the affirmative. Councilman Butkus was absent. Public hearing and final adoption will be on February 27, 2024.

ORDINANCE 2024-04

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 5.16 OF TITLE 5 OF THE BOROUGH CODE OF THE BOROUGH OF SHIP BOTTOM ENTITLED "AMUSEMENT GAMES"

WHEREAS, the Borough of Ship Bottom ("Borough") is comprised of .71 square land miles and has an estimated year-round population of 1,153 residents; and

WHEREAS, the Borough is often referred to as the "Gateway to Long Beach Island," as it is located at the sole roadway access point to Long Beach Island, an approximately eighteen-mile barrier island home to six municipalities with a total year-round population of approximately 10,000 residents, over the Causeway Bridge; and

WHEREAS, the seasonal population of Long Beach Island is estimated to swell to between approximately 150,000 and 200,000 and additional day-trip and temporary visitors also visit the beaches, parks, retail establishments, businesses, amusement parks, bars, and restaurants located thereon; and

WHEREAS, the Borough is fully developed and has three hotels/motels, three miniature golf courses, two active amusement license businesses, one additional inactive amusement license and family event center for a location granted a use variance by the Land Use Board, and a high density of retail establishments, including furniture, department, and clothing stores, dine-in restaurants, bars and a nightclub, take-out, ice cream, coffee, donut, and breakfast food establishments, and offices, convenience stores, realtors, and contractors, among others; and

WHEREAS, the vast majority of the aforesaid establishments are located in the Shore Commercial and General Commercial Districts on the east-west and north-south access of 8th and 9th Streets and Long Beach Boulevard, respectively; and

WHEREAS, the foregoing development is immediately adjacent to the Borough's residential properties and located on a narrow barrier island between the beach and bay, each of which generate significant visitors and activity throughout the year; and

WHEREAS, the density, parking, traffic, and population issues are significant during the ever-expanding summer and visitor seasons in the Borough and pose a significant threat to the public health, welfare, and safety; and

WHEREAS, following the most recent amusement license application approval, three such permitted amusement business locations shall exist in the Borough, the two existing located on Long Beach Boulevard and the additional location on Long Beach Boulevard in the area of 8th and 9th Streets, which Streets form the sole access point for the Borough and all of Long Beach Island; and

WHEREAS, the target market for establishments with amusement licenses and family recreation businesses are families, young adults, adolescents, and children; and

WHEREAS, the Island as a whole and the Borough have experienced a significant increase in the number of children and young adults gathering in large groups in the evening and nighttime hours and places of amusement are typical locations where such groups congregate; and

WHEREAS, given the limited size of the Borough, the location of the existing and new amusement license, the density of development, the significant vehicular and pedestrian traffic, and the proximity of the residential zones to the various commercial zones in the Borough, the amendment of the amusement licensing regulations are necessary and proper to preserve the common good and the public health, welfare, and safety, and the regulations authorized by law and set forth herein are substantially connected with the public interest designed to be advanced; and

WHEREAS, N.J.S.A. 40:52-1 authorizes municipalities to make, amend, repeal, and enforce ordinances to

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license and regulate “places of public amusement” pursuant to the police power to protect the general health, welfare, and safety of its citizens; and

WHEREAS, N.J.S.A. 5:8-100, et seq., the Amusement License Gaming Law, authorizes municipalities to regulate and license the owners and operators of any amusement games or games, whether skill or chance or both and whether said game be played and operated with or without numbers or figures; and

WHEREAS, *inter alia*, the Borough is authorized to charges fees for licenses, set the hours and days of operation for licenses, issue separate licenses for each classified games set forth in N.J.A.C. 13:3-7.9, the Rules of the Office of the Amusement Games Control, except that a single license may be issued for all games classified under Certification No. 2, which are arcade games wherein a single player upon payment of fee is permitted to play a machine or device to obtain a prize or attain to score upon the basis of which a prize is awarded; and

WHEREAS, N.J.S.A. 5:8-102 and N.J.A.C. 13:3-1.1 define “arcade” as a place where a single player may play any one of a number of machines or devices, upon payment of a fee, to attempt to obtain a prize or tickets or tokens redeemable for a prize, or to attempt to attain a score or result upon the basis of which a prize, ticket or token is awarded; and

WHEREAS, as noted, there were two existing and longstanding amusement licenses located in the Borough and the intent of the Borough Code, in part, was to limit the number of amusement game licenses located in the Borough to two; and

WHEREAS, the Land Use Board granted a use variance to the owner of a property located in the General Commercial District for use as a family amusement center and that resolution and the Borough’s licensing regulations have been the subject of ongoing litigation; and

WHEREAS, following litigation in the Law Division and Appellate Division, the Law Division invalidated §5.16.010 of the Borough Code; and

WHEREAS, the Law Division ordered the Borough to review and decide the new application for a amusement license within forty-five days of receipt and the Mayor and Council approved that application subject to certain lawful contingencies relating to a background check and State approval and the Mayor and Council approved the application for amusement license; and

WHEREAS, based upon the foregoing, the Borough seeks to amend and supplement Chapter 5.16 of Title 5 to limit the number of amusement licenses for amusements as authorized and governed by N.J.S.A. 5:8-100, et seq., and N.J.A.C. 13:3-1.1, et seq., to three total licenses and further amend and supplement amusement license regulations as set forth herein; and

WHEREAS, in further support of the regulations set forth herein, the Mayor and Council requested and relied upon the reports prepared by the Chief of Police and the Borough Engineer, who is also a professional planner, which are incorporated herein by reference and copies are available at the office of the Municipal Clerk; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor Council of the Borough of Ship Bottom as follows.

STATEMENT OF PURPOSE

The purpose of the ordinance is to amend Chapter 5.16 of Title 5 of the Borough Code to revise and supplement the regulations of amusement games, arcades, and places of public amusement and limit the number of licenses to three.

SECTION I

Chapter 5.16 is repealed and replaced as follows.

ARTICLE I Amusement Games

§5.16.010 Declaration and amusement area.

It is hereby determined, declared, and found that the Borough constitutes a seashore resort with parts thereof customarily constituting an amusement or entertainment area, according to the customary understanding of the terms in the community, and the parts of what constitutes an amusement or entertainment area are more particularly described as follows: all that area running north and south on and the properties bordering Long Beach Boulevard in the Borough of Ship Bottom.

§5.16.020 License required.

It shall be unlawful for any person to own or operate any amusement game or games, as the terms are defined by the Amusement Games Licensing Law, N.J.S.A. 5:8-100, et seq., whether the game or games be played and operated with or without numbers, names, or symbols without first having obtained a license from the Mayor and Council of to do so. The licenses shall be issued pursuant to and subject to the provisions of Amusement Games Licensing Law and the New Jersey Administrative Code, N.J.A.C. 13:3-1.1, et seq. No municipal license shall become operative unless and until the licensee named therein has procured a state license from the State Commissioner of Amusement Games Control and has affixed the state license certificate to the municipal license certificate.

§5.16.030 Number and scope of licenses.

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The number of licensees shall be limited to 3 annual amusement game licenses, each of which may seek approval for the games authorized by the games set forth in N.J.A.C. 13:3-7.9.

§5.16.040 License application.

Each applicant for a license shall file with the Municipal Clerk a written application in the form prescribed by and in accordance with the Amusement Games Licensing Law and the rules and regulations promulgated by the Amusement Games Control Commissioner of the State of New Jersey. Each individual applicant, the officers (including the officers, directors, and stockholders of any corporation holding five percent or more stock of any corporate applicant), as well as the partners or members of any partnership, association, or organization applicant must submit to fingerprinting upon initial application for license. Failure or refusal of any of the above-designated persons to submit to fingerprinting shall be deemed cause for denial of the application. Any fees for fingerprinting and other investigations shall be paid for directly by the applicant. No license shall be issued to any applicant if any person fingerprinted in connection with the application is not of good moral character or have been convicted by a crime as set forth in the New Jersey Administrative Code or New Jersey Statutes. No license shall be issued to any person who has been convicted of crimes or as a disorderly person or for the violation of any municipal ordinance. If any licensee shall be so convicted during any license year, his license for any and all games or machines operated by him shall become void, and he shall not be entitled to the return of license fees.

§5.16.050 License fees and limitations.

The fees for each classification set forth in N.J.A.C. 13:3-7.9, which shall accompany the application for license, shall be as follows.

Amusement Games Certification No. 1 – \$500.00. In this category, there shall be only one game per license.

Amusement Games Certification No. 2 – \$500.00 for the first fifty player positions and an additional \$10.00 for each player position thereafter.

Amusement Games Certification No. 3 – \$500.00. In this category, there shall be only one game per license.

Amusement Games Certification No. 4 – \$750.00. In this category, there shall be only one game per license.

Amusement Games Certification No. 5 – \$750.00. In this category, there shall be only one game per license.

Amusement Games Certification No. 6 – \$500.00. In this category, there shall be only one game per license.

Amusement Games Certification No. 7 – \$500.00. In this category, there shall be only one game per license.

Amusement Games Certification No. 8 – \$500.00. In this category, there shall be only one game per license.

Amusement Games Certification No. 9 – \$750.00. In this category, there shall be only one game per license.

§5.16.060 License period.

Every license shall be valid after being granted from the 1st day of January to the 31st day of December in each calendar year. No matter when issued in the calendar year, full license fees as designated herein shall be paid. There shall not be any apportionment or rebatement of any license fees paid. The regulations and requirements of this Chapter shall apply to the application period beginning for the 2025-year licenses, except that the regulations relating to the limitation to 3 licenses shall immediately apply and the 3 existing licenses shall continue to be valid in 2024.

§5.16.070 Transfer of licenses.

Licenses shall be transferable to any other person, corporation, partnership, or organization in the event of a sale or lease of the premises in which such machines are located or in the event the transferee secures the required land use approvals for the new location, subject to the transferee securing the required approvals for the amusement license pursuant to this Chapter. Transferees shall comply with the application process set forth in this Chapter to secure approval for the license and may be denied the license in accordance with the applicable requirements.

§5.16.080 Renewal of existing licenses.

An existing license under amusement games is defined as a person who possesses a valid license, including the existing licenses at the time this Chapter is adopted, and transferees provided the transferee secures approval for the transferred license in accordance with the applicable requirements. The holder of a license shall have priority over new applicants to renew the license. The priority right, however, will be vacated automatically if the licensee notifies the Municipal Clerk in writing of the licensee's intention not to renew or if the licensee fails to apply for renewal on or prior to the deadline for renewal set by the Municipal Clerk and which shall be no later than November 1 for the subsequent year license term. The foregoing provision shall not give any licensee any property right in or to a license or its renewal and the same shall be subject at all times to the licensing power of the Borough as set forth in the statutes and laws of the State of New Jersey.

§5.16.090 Order of priority and availability of licenses.

If a license becomes available, new applications shall be due on the third Tuesday of November at 9:00 a.m. at the

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Office of the Municipal Clerk and the applicants shall be ordered in priority of the license by the earliest complete applications received by the Municipal Clerk pursuant to this Article. In the event an application does not comply or is otherwise denied pursuant to this Article, the Municipal Clerk shall process the next application on the priority list by order received.

§5.16.100 Control, supervision, and hours of operation.

The Mayor and Council shall have and exercise control and supervision over all amusement games held, operated, or conducted under each license, with all the powers authorized or granted to it under the Amusement Games Licensing Law and the rules and regulations of the State Amusement Games Control Commissioner. No licensee shall permit them to be played between 11:00 p.m. and 9:00 a.m. weekdays or between 12:00 midnight and 9:00 a.m. on Sundays, weekends, and national holidays.

§5.16.110 Noise and location of amusement games.

No amusement game for which a license is required herein shall be operated in a manner which will enable it to be heard outside the building in which the amusement machine is located. No amusement game for which a license is required herein shall be permitted to be located outside of a building.

§5.16.120 Disciplinary Proceedings.

Disciplinary proceedings before the Mayor and Council, on a complaint made for a violation of the provisions of Amusement Games Licensing Law and the rules and regulations promulgated by the State Amusement Games Control Commissioner, and by this Chapter, shall be made on charges preferred against the licensee, signed in the name of the Mayor and Council. No hearing shall be held until a five-day notice of the charges preferred shall have been given to the licensee personally or by mailing the notice by registered or certified mail, return receipt requested, addressed to him at the licensed premises, and a reasonable opportunity to be heard thereon afforded to him. The licensee may be represented by an attorney of this state at the hearing. The Mayor and Council may suspend or revoke the license after a hearing on the charges for proper cause or may dismiss the charges.

§5.16.130 Conditional Use Zone

Compliance with this Article is a requirement of the conditional use requirements of the Borough Code. Applicants shall either comply with the conditional use requirements at the time of the application or shall receive conditional use approval pursuant to the Borough Code within six months of the date the license is approved, which approval shall be conditional and contingent upon conditional use approval and the license shall not be used unless and until conditional use approval is received. In the event the conditional use approval is not received within the aforesaid time period, the approval shall be rendered void and the license shall be deemed available.

§5.16.140 Penalties.

In the event that any licensee shall violate any of the provisions of this Chapter or the "Amusement Games Licensing Law," or the rules and regulations promulgated by the State Amusement Games Control Commissioner, or the terms of the license, such licensee shall be a disorderly person, and if convicted as such shall, in addition to suffering any other penalties which may be imposed pursuant to §1.08 of the Code, forfeit any license issued to him under this Chapter.

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, 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 Tuesday, January 23, 2024, at 6:30 p.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 February 27, 2024, at 7:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

Kristy DeBoer, RMC
Municipal Clerk

12. 2024-05 Zoning Ordinance Amusement Games License Establishments
The Mayor asked for a motion to introduce Ordinance 2024-05. Councilman Rossi made a

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motion, seconded by Councilman English. A rollcall vote was heard with five in the affirmative. Councilman Butkus was absent. Ordinance 2023-05 was introduced. Public hearing and final adoption will be on February 27, 2024.

ORDINANCE 2024-05

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 16.44 OF THE BOROUGH CODE, WHICH PERTAINS TO THE SHORE COMMERCIAL DISTRICT, AND CHAPTER 16.48, WHICH PERTAINS TO THE GENERAL COMMERCIAL DISTRICT, AND CHAPTER 16.56, WHICH PERTAINS TO CONDITIONAL USES

WHEREAS, amusement games of chance authorized by the Amusement Games Licensing Law, N.J.S.A. 5:8-100, et seq., do not constitute a permitted use in any zoning district in the Borough of Ship Bottom ("Borough"); and

WHEREAS, two longstanding amusements game establishments which possess two amusement game licenses granted pursuant to Chapter 15.16 of the Borough Code are located on Long Beach Boulevard and in the Shore Commercial District; and

WHEREAS, those two amusement game licenses were recognized and designated as preexisting nonconforming uses and the intent of the Borough Code, in part, was to limit the number of amusement game licenses located in the Borough to two; and

WHEREAS, the Land Use Board granted a use variance to the owner of a certain property located on Long Beach Boulevard in the General Commercial District for use as a family amusement center and that resolution and the Borough's Code were subject to litigation; and

WHEREAS, following litigation in the Law Division and Appellate Division, the Law Division invalidated provisions of §5.16.010 of the Borough Code; and

WHEREAS, following litigation in the Law Division and Appellate Division, the Law Division invalidated §5.16.010 of the Borough Code on the basis of various legal arguments advanced by the applicant and ordered the Borough to review and decide the new application for an amusement license within forty-five days of receipt and the Mayor and Council approved that application subject to certain lawful contingencies relating to a background check and State approval; and

WHEREAS, as a result of the foregoing, the Borough has elected to clarify and amend the permitted and prohibited uses in the Shore Commercial and General Commercial Districts of the Borough Code in order to maintain consistency with the licensing regulations and the revised Chapter 15.16 of the Code; and

WHEREAS, specifically, the Borough deems it necessary to amend, confirm, and clarify the permitted and non-permitted uses, including the express limitation on the location of amusement gaming licenses for the following reasons; and

WHEREAS, the Borough is comprised of .71 square land miles and has an estimated year-round population of 1,153 residents; and

WHEREAS, the Borough is often referred to as the "Gateway to Long Beach Island," as it is located at the sole roadway access point to Long Beach Island, an approximately eighteen-mile barrier island home to six municipalities with a total year-round population of approximately 10,000 residents, over the Causeway Bridge; and

WHEREAS, 8th and 9th Streets are the main arteries for the access to and from Long Beach Island and the mainland; and

WHEREAS, the seasonal population of Long Beach Island is estimated to swell to between approximately 150,000 and 200,000 and additional day-trip and temporary visitors also visit the beaches, parks, retail establishments, businesses, amusement parks, bars, and restaurants located thereon; and

WHEREAS, the Borough is fully developed and has three hotels/motels, two miniature golf courses, three amusement license businesses, and a high density of retail establishments, including furniture, department, and clothing stores, dine-in restaurants, bars and a nightclub, take-out, ice cream, coffee, donut, and breakfast food establishments, and offices, convenience stores, realtors, and contractors, among others; and

WHEREAS, the vast majority of the aforesaid establishments are located in the Shore Commercial and General Commercial Districts on the east-west and north-south access of 8th and 9th Streets and Long Beach Boulevard; and

WHEREAS, the foregoing development is immediately adjacent to the Borough's residential properties and located on a narrow barrier island between the beach and bay, each of which generate significant visitors and activity throughout the year; and

WHEREAS, the density, parking, traffic, and population issues are significant during the ever-expanding summer and visitor seasons in the Borough and pose a significant threat to the public health, welfare, and safety; and

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WHEREAS, the target market for establishments with amusement licenses and family recreation businesses are families, young adults, adolescents, and children; and

WHEREAS, the Island as a whole and the Borough have experienced a significant increase in the number of children and young adults gathering in large groups in the evening and nighttime hours and places of amusement are typical locations where such groups congregate; and

WHEREAS, given the limited size of the Borough, the location of the existing and proposed additional amusement license, the density of development, the significant vehicular and pedestrian traffic, and the proximity of the residential zones to the various commercial zones in the Borough, the amendment and clarification of the permitted and non-permitted uses in the zoning districts is necessary and proper to preserve the common good and the public health, welfare, and safety, and the regulations authorized by law and set forth herein are substantially connected with the public interest designed to be advanced; and

WHEREAS, the Borough believes that the nature of amusement games, the age of much of the market, and the strong likelihood of increased pedestrians and groups requires the Borough to restrict the conditional use to properties that are on Long Beach Boulevard and to exclude the conditional use from properties that are on 8th and 9th Streets; and

WHEREAS, the Borough Engineer, who is also a licensed professional planner, has prepared a report documenting and establishing the various reasons in support of this ordinance; and

WHEREAS, based upon the foregoing, the Borough finds that amusement game license uses authorized by Chapter 15.16 shall be limited as conditional uses in the Shore Commercial and General Commercial Districts on properties bordering Long Beach Boulevard.

NOW, THEREFORE, BE IT ORDAINED by the Mayor Council of the Borough of Ship Bottom as follows.

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend Chapters 16.44, and 16.48 to clarify and confirm the permitted and prohibited uses in the Shore Commercial and General Commercial Districts and add a conditional use in each District.

SECTION I

§16.44.010AJ is hereby added as follows.

- J. Prohibited uses and buildings. All uses, buildings, and structures not expressly permitted in A and B above are prohibited.

SECTION II

§16.48.010J is hereby added as follows.

- J. Prohibited uses and buildings. All uses, buildings, and structures not expressly permitted in A and B above are prohibited.

SECTION III

§16.56.010C is repealed and replaced as follows.

- C. Amusement Game License Establishments.
1. Amusement game license establishments shall be permitted as conditional uses on any lot bordering and fronting upon Long Beach Boulevard within the Shore Commercial District and General Commercial District, provided the requirements of this subsection are met.
 2. The use shall be conducted within a totally enclosed, permanent building.
 3. Compliance with Chapter 5.16 of the Code shall be required.
 4. The use shall be conducted within a totally enclosed permanent building.
 5. The minimum lot size shall be 10,000 square feet.

SECTION IV

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

SECTION V

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.

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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 Tuesday, January 23,, 2024, at 6:30 p.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 February 27, 2024, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

Kristy DeBoer, RMC
Municipal Clerk

13. 2024-06 Curfew Ordinance

The Mayor asked for a motion to introduce Ordinance 2024-06. Councilman Valyo made a motion, seconded by Councilman English. A rollcall vote was heard with five in the affirmative. Councilman Butkus was absent. Ordinance 2023-06 was introduced. Public hearing and final adoption will be on February 27, 2024.

ORDINANCE 2024-06

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING CHAPTER 9.24, WHICH PERTAINS TO LOITERING, REPEALING CHAPTER 9.28 WHICH PERTAINS TO THE CURFEW, AND AMENDING CHAPTER 9.32, WHICH PERTAINS TO MISCELLANEOUS OFFENSES

STATEMENT OF PURPOSE

The purpose of this ordinance is to repeal Chapter 9.24 which regulates loitering, repeal Chapter 9.28 which relates to the Curfew, and repeal and replace Chapter 9.32 which regulates miscellaneous offenses in order to adopt, update, and reformat regulations relating to the peace and good order and the curfew.

SECTION I

Chapters 9.24 and 9.28 are repealed and marked "(Reserved)".

SECTION II

§9.32 is repealed and replaced with the following.

Chapter 9.32 Peace and Good Order.

§9.32.010 Public Obstruction and Sleeping.

- A. No person shall intentionally obstruct or interfere with pedestrian or vehicular traffic upon public pavilions, public parks, public docks, public boat ramps, or any other public places. Acts authorized as an exercise of one's Constitutional right to picket or legally protest and acts authorized by a permit issued shall not constitute obstruction.
- B. No person shall sleep in or on any public street, public sidewalk, public pavilion, public park, public docks, public boat ramps, or other public places in a manner that interferes with the passage of any vehicle or person or any person's use lawful use of said public places.
- C. It shall be unlawful to sleep in any parked vehicle at any time or to sleep or lie upon any public or quasi-public bench or seat or usurp the use of such bench or seat for the storage of bundles or other objects so as to prevent the reasonable use thereof by others.

§9.32.020 Illegal entry.

It shall be unlawful and illegal to enter, without legitimate and reasonable errand or business, upon any private property, hotel, rooming house, lodging place or other place of public accommodation, and not having previously obtained express or implied permission of the owner or person in lawful control and possession of such places above described, to make use of the furniture, showers, toilets or other like facilities there installed, or wander or roam about the premises.

§9.32.030 Disturbing good order and peace.

- A. It shall be unlawful and offensive conduct for any individual, either alone, or in the company of others, to revel, quarrel, brawl, disport or behave in a noisy, boisterous manner, emitting loud cries and other noises, or jostling those about them, or causing inconveniences to those about them, or to otherwise disrupt and disturb the public peace and dignity in any public or quasi-public place, public rights-of-way, public sidewalk, public park, public dock, public boat ramp, or in any building open for the accommodation of the public for entertainment, or for room accommodations.
- B. It shall be unlawful and offensive to enter upon any public or quasi-public place or private property without the consent of the owner or person in lawful control and possession thereof and to picnic, change apparel, dress or undress, or to urinate or defecate upon the premises or commit any other nuisance.

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§9.32.040 Keeping and harboring of certain animals.

The Borough of Ship Bottom prohibits the keeping of the following animals.

- A. Animals commonly designated as wild animals, such as lions, tigers, primates, bears, or any other similar animals or members of the dog or cat family usually living in a wild state.
- B. Horses, ponies, donkeys, mules, and any animals commonly referred to as livestock, such as swine, cattle, sheep, pigs, goats, chickens, ducks, geese, pheasants, pigeons, or any other fowl, singly or in any number, and any other related livestock or species.
- C. No person shall keep, harbor, maintain nor have in his or her possession, for any purpose whatsoever, at any place or location anywhere within the Borough, any animal of any sort, kind, or description which is capable of producing poison or venoms harmful or inimical to human beings. The prohibition in this section shall extend to animals whose venom or poison-producing organs or glands have been removed.

§9.32.050 Urinating in public.

- A. No person shall urinate, defecate, or expectorate on any public or private property or place, or within public view, or in any other place open to and used by the public or outdoors upon any private property.
- B. For purposes of this section as such pertains to urinating and defecating, there shall be a rebuttal presumption that this section was violated by a person who is in close proximity to what appears to the complainant or other witness to be fresh urine or feces and in the process of partially disrobing or dressing.

§9.32.030 Juvenile curfew.

- A. The following definitions shall apply to this Section.

GUARDIAN

A person other than a parent to whom legal custody of the juvenile has been given by court order or who is acting in the place of the parent or is responsible for the care and welfare of the juvenile.

JUVENILE

An individual who is under the age of 18 years.

PUBLIC PLACE

Any place to which the public has access, including but not limited to a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, unimproved lots, recreation or shopping area, public transportation facility, vehicle used for public transportation, parking lot, or any other public building, structure, or area.

- B. Except as otherwise provided herein, juveniles shall not be permitted in any public place after 12:00 a.m. and until 5:00 a.m. the following day.
 - 1. Juveniles 14 through 17 years of age may travel to and from a business or occupation which the laws authorize a juvenile to perform.
 - 2. All juveniles may engage in errands involving medical emergencies and cultural, educational, and social events sponsored by religious or community-based organizations during curfew hours.
- C. Juveniles may be permitted outside in any public areas set forth above after 12:00 a.m. and until 5:00 a.m. the following day, provided they are accompanied by their parent or legal guardian.
- D. It shall be unlawful for any parent or guardian to knowingly allow an unaccompanied juvenile to be in any area set forth in Paragraph A above after 12:00 a.m. and until 5:00 a.m. the following day.

§9.32.040 Violations and penalties.

A violation of this article shall be punishable as provided in Title 1, General Provisions, Chapter 1.08, General Penalty.

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.

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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 Tuesday, January 23, 2024, at 6:30 p.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 February 27, 2024, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

Kristy DeBoer, RMC
Municipal Clerk

14. 2024-07 Updating Public Health/Property Maintenance /Rules and Regs for C/O and Construction/Site Plan Requirements.

ORDINANCE 2024-07

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 2.80, WHICH PERTAINS TO THE BOARD OF HEALTH, AMENDING CHAPTER 8.20, WHICH PERTAINS TO PUBLIC HEALTH NUISANCES, AMENDING CHAPTER 8.32, WHICH PERTAINS TO WEED, BRUSH, FILTH, AND WASTE REMOVAL, AMENDING CHAPTER 15.04, WHICH PERTAINS THE PROPERTY MAINTENANCE CODE, AND AMENDING CHAPTER 15.06, WHICH PERTAINS TO CERTIFICATES OF OCCUPANCY AND SITE PLAN REQUIREMENTS

STATEMENT OF PURPOSE

The purpose of this ordinance is to delete Chapter 2.80 pertaining to the Board of Health, repeal and replace §8.20 adopting the Public Health Nuisance Code, repeal and replace Chapter 8.32 regulating Weed, Brush, Filth, and Waste Removal, repeal and replace Chapter §15.04.010 adopting the 2021 International Property Maintenance Code, and repeal and replace Chapter 15.06 setting forth rules and regulations pertaining to Certificates of Occupancy and Construction and Site Plan requirements.

SECTION I

Chapter 2.80 is deleted and marked (Reserved).

SECTION II

Chapter 8.20 is repealed and replaced with the following.

§8.20.010 Public Health Nuisance Code.

- A. Adoption by Reference. Pursuant to Chapter 188, Laws of 1950, the "Public Health Nuisance Code of New Jersey (1953)" is adopted by reference for the Borough with the exception of Sections IV and VI and made a part of this section without the inclusion of the text herein. The code defines and prohibits certain matters, things, conditions, or acts as a nuisance and authorizes the inspection of premises by the Board of Health and provides for removal or abatement of certain nuisances, as well as recovery of expenses incurred by the Board of Health.
- B. Public Record. 3 copies of the "Public Health Nuisance Code of New Jersey (1953)," plainly marked as to the sections adopted, have been placed on file in the office of the Borough Clerk and shall remain on file for the use and examination of the public.

§8.20.020 Additional Nuisances.

In addition to the matters, things, conditions, and/or acts prohibited in the "Public Health Nuisance Code of New Jersey (1953)," the following are declared to be nuisances.

- A. Below-Grade Lands.
 - 1. No property owner in the Borough shall maintain his or her property below the grade established by the Borough Engineer or permit or suffer to be maintained on his or her property any low areas wherein water may accumulate and which may become mosquito breeding pools.
 - 2. In the event that any property owner maintaining a nuisance on his or her property, as described in this subsection, shall fail to abate such nuisance within 30 days from receipt of written notice to do so, the Borough shall arrange for the abatement of the nuisance set forth in the notice, at the expense of the property owner involved, and the cost thereof as ascertained by the Borough, plus interest, shall be collected from the owner.
- B. Water Pollution. No person shall place upon the banks of or discharge into any natural body of water any material tending to pollute such water or maintain any toilet, cesspool, or other receptacle or device for the disposal of excrement or other waste matter, human or otherwise, which is not watertight or from which the waste matter escapes into any natural body of water for any reason, including flooding by storms or unusually high tides.

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- C. Sanitation of Privies. No person shall maintain any cesspool, private disposal plant, outdoor toilet, or privy in any unsanitary condition, or so that offensive odors will emanate therefrom, or one not provided with a well-fitting fly-proof cover.
- D. Foul Discharges. No person shall discharge foul or nauseous liquids or kitchen slops from any establishment so that such liquids shall pass into or along any of the public streets or highways.
- E. Dead Animals. No person shall cast or lay the carcass of any dead animal or any excrement or filth on any roadway in the Borough or on any vacant land.
- F. No person shall neglect to provide and use garbage cans with tight fitting covers when disposing of garbage, litter, refuse, or rubbish. No person shall overload any garbage can so that the gross weight exceeds 100 pounds, nor shall any person willfully upset garbage cans on any street or sidewalk.
- G. Hazards to Persons.
1. No person shall maintain or permit the maintenance on property owned or controlled by him or her of anything or condition likely to cause injury to any person, including but not limited to the following:
 - a. A water-filled excavation;
 - b. Any type of motor vehicle body, frame, or chassis, any motor vehicles unable to be self-propelled, or any abandoned motor vehicles;
 - c. A crumbling stone or brick wall imperiling a sidewalk area;
 - d. Abandoned boats or any type of recreational vehicle;
 - e. 1 or more mounds of girders, lumber, or other building material;
 - f. An uncovered or exposed wall;
 - g. An excavation or cellar which has remained uncovered or unfenced for 30 days;
 - h. Refuse and debris resulting from construction activities or the demolishing of a building which has remained on the land for a period of 1 month or more after completion of the construction or demolition work.
 2. This subsection shall not apply to any lawful business requiring the maintenance of the thing or condition in question, provided there is compliance with all applicable laws, regulations, and provisions of the Borough Code and adequate precautions are taken to prevent injuries to persons and the public health, welfare, and safety.
- H. Bulkheads in Disrepair. No property owner shall allow bulkheads in such state of disrepair as to permit the earth and fill behind the bulkhead to wash into the tidal waters abutting the bulkhead or to endanger or be likely to endanger persons or property.
- I. Depressions or Holes Created Behind Bulkheads and Retaining Walls. No property owner shall allow depressions or holes created behind bulkheads and retaining walls as a result of the disrepair of such bulkhead or retaining wall as hereinabove described which may endanger or be likely to endanger persons or property.
- J. Noises. When the noise emanating from the following acts is clearly audible from at least 100 feet from the actor, source, or device, provided, however, that this enumeration shall not be deemed to be exclusive.
1. Radios, stereos, etc. The playing of any radio, television, stereo, musical instrument or other machine or device for the production or reproduction of sound in such a manner or in such volume as to unreasonably annoy or disturb the quiet, comfort, or repose of persons in any dwelling, hotel, or other type of residence, or to disturb the peace, quiet and comfort of neighboring inhabitants, or to play or operate the same with louder volume than is necessary for convenient hearing of the person or persons who are in the room, chamber, or venue in which said machine or device is operated and who are voluntary listeners to such sound.
 2. Yelling, shouting, etc. Yelling, shouting, hooting, whistling or singing on public streets or yelling, shouting, hooting, whistling, or singing at any other place, whether public or private, in such a manner and in such volume and intensity to disturb the peace and quiet of the neighborhood, or to annoy or disturb the quiet, comfort, or repose of persons in any dwelling, hotel or any other place of residence, or of any persons in the vicinity.
 3. Peddlers, hawkers, and vendors. The shouting of peddlers, hawkers, and vendors, in such a manner and in such volume and intensity to disturb the peace and quiet of the neighborhood, so as to annoy or disturb the quiet, comfort, or repose of persons in any dwelling, hotel or any other type of residence, or of any persons in the vicinity.
 4. Loudspeakers and amplifiers for advertising. The use, operation or permitting the playing, use or

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operation of any radio, television, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the production or reproduction of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building, structure, store, or establishment.

- K. Construction equipment. Excluding emergency work, the operation of any equipment used in commercial construction, repair, alteration, or demolition work on buildings, structures, streets, or appurtenances thereto on residential or commercial property shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, 6:00 p.m. and 9:00 a.m. on Saturdays and federal holidays, and shall not be performed at all on Sundays.
- L. Landscaping equipment. Excluding emergency work, power tools, home maintenance tools, landscaping, and/or yard maintenance equipment used by residential operators (e.g., owners and tenants) shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends or federal holidays. Excluding emergency work, power tools, landscaping and/or yard maintenance equipment used by nonresidential operators (e.g., commercial operators, public employees, and third parties) shall not be operated on a residential or commercial property between the hours of 6:00 p.m. and 7:00 a.m. on weekdays and 6:00 p.m. and 9:00 a.m. on Saturdays and federal holidays and shall not be performed at all on Sundays.
- M. Loading operations and refuse-compacting vehicles. Loading, unloading, opening, or otherwise handling boxes, crates, containers, garbage cans, garbage pickup, or similar objects, or the operating or permitting the operation of any motor vehicle which can compact refuse, and which creates, during the compacting cycle, a disturbing noise shall not be performed between the hours of 6:00 p.m. and 7:00 a.m., except that municipal waste pickup may begin at 6:00 a.m. on scheduled pickup days during weekdays.
- N. Animals. No person shall keep, harbor, or maintain any animals which habitually cries, barks, howls, caws, or otherwise disturbs the peace.
- O. Light.
 - 1. Placing or maintaining spotlights or other types of artificial lighting that provide a concentrated beam of light extending beyond any property lines.
 - 2. Placing or maintaining spotlights or other types of artificial lighting extending beyond the vertical plane of the face of any building or structure that causes a beam of light to be reflected upon any adjoining property or public street.
 - 3. All outdoor lighting shall be of a soft or glare-free type and shall not cast an illumination color which shall be distractive, obliterate, or obscure the view, or be ultraviolet, strobic, pulsating, flashing, travel, or of any unnatural kind.
 - 4. No outdoor lighting or outdoor light fixtures shall shine directly upon any neighboring property or into any room or rooms of structures on any neighboring property in a manner that creates glare for the occupants of any neighboring property or in such a manner that the lighting constitutes an objectionable glare source.
 - 5. No outdoor lighting or outdoor light fixtures at any property shall be permitted where such create light trespass.
 - 6. No outdoor lighting shall be located on any structure adjacent to a natural body of water if such outdoor lighting creates glare, constitutes a safety hazard, or otherwise constitutes an objectionable direct glare source.

§8.20.030 Applicability.

This Chapter is intended to apply and to bind the owners, tenants, occupants, guests, and all other persons. This Chapter shall not apply to representatives and employees of the Borough performing tasks on official business of the Borough or for specific activities authorized by the Mayor and Council.

§8.20.040 Enforcement; Complaints.

- A. It shall be the duty of the Police Department and Code Enforcement Officials to determine whether or not this Chapter has been and is being complied with, and to enforce the provisions of this Chapter against any person violating the same.
- B. Any police officer or Code Enforcement Official or any individual person may file a complaint in Municipal Court violations of this chapter.

§8.20.050 Violations and Penalties.

Any person who is convicted of a violation of this Chapter shall be punishable as provided in Chapter 1.08, General Penalty.

SECTION III

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Chapter 8.32 is repealed and replaced with the following.

Chapter 8.32 Weed, Brush, Filth, and Waste Removal

§8.32.010 Purposes and General Regulations

- A. It is necessary to ensure that lands, lots, buildings, premises, dwellings, and structures (collectively "Lands and Structures"), as well as the public rights-of-way in the streets, sidewalks and easements, are free from debris, filth, brush, trash, refuse, solid waste, weeds, dead and dying trees, stumps, roots, obnoxious growths, obnoxious materials, soil, sediment, and other discarded materials, including, but not limited to discarded furniture, appliances, and pipes (collectively "Debris") in order to protect against, remedy, and eliminate threats to persons, property, and the public health, welfare, and safety, health and fire hazards, to protect private property rights, economic activities, and neighboring property values, and prevent both public and attractive nuisances.
- B. In is further necessary to prevent deep spots, depressions, and holes (hereinafter collectively "Depressions") on certain lands and lots from accumulating stagnant water and debris, conditions which poses a threat to the public health, safety, and welfare, including, but not limited to, creating fire hazards, health hazards, and providing breeding grounds for mosquitoes, flies, other insects, rodents, and vermin.
- C. It is further necessary to ensure that lands and lots are graded and maintained to control soil erosion and sediment, which conditions cause and pose threats to persons, property, and the public health, welfare, and safety, create fire and health hazards, diminish and damage private property rights, economic activities, and neighboring property values, and constitute both public and attractive nuisances.

§8.32.020 Duties of Owners and Tenants

- A. Property owners and tenants shall be responsible to ensure that the Lands and Structures that they own or at which they have legal possessory interests and the corresponding public rights-of-way and easements are free from Debris and the Depressions and do not pose threats to the public health, welfare, and safety as set forth in §8.32.010.
- B. Property owners and tenants shall be responsible to remove the accumulation of all soil and/or sediment from the public rights-of-way adjacent to their properties in the streets and easements within 24 hours of any accumulation of any such soil and/or sediment.
- C. It shall be the responsibility of the property owners to grade and maintain the land to control soil erosion and sediment damages in compliance with the requirements of §16.52. All necessary soil erosion and sediment control measures shall be installed to prevent the accumulation of soil and sediment onto adjacent properties and the public right-of-way adjacent to the owners' properties.

§8.32.030 Designated Public Officers

The Borough designates, charges, and authorizes the Director of the Long Beach Island Health Department, a public officer of the Borough designated by said Director, the Code Enforcement Officer, and other public officers that may be designated by resolution of the Mayor and Council as the public officers charged with the authority to carry out the provisions of this ordinance.

§8.32.040 Duties of Owners and Tenants.

- A. It shall be the duty of the owners, tenants, and the persons in possession of any lands and structures to maintain those lands and structures free from debris and to keep same maintained in a clean, safe, and sanitary condition.
- B. It shall be the duty of the owners, tenants, and persons in possession of any lands and structures to maintain those lands and structures free from Depressions and that all Depressions that occur or are created are filled with a clean fill to a street grade height of 8 inches.
- C. It shall be the duty of the owners of any lands and structures to grade and maintain the land to control soil erosion and sediment damages in compliance with the requirements of §16.52. It shall be the duty of the owners, tenants, or persons in possession of any lands and structures to remove the accumulation of all soil and/or sediment from the public rights-of-way adjacent to their properties in the streets and easements within 24 hours of any accumulation of any such soil and/or sediment.
- D. Should the owners, tenants, or persons in possession of any lands and structures fail to maintain those lands, structures, public rights-of-way, streets, and easements in accordance with the duties set forth herein, the Designated Public Officer may serve notices of penalties and removal as provided herein.
- E. It shall be the duty of the owners, tenants, or persons in possession of any lands and structures to remove debris, fill depressions, and otherwise comply with Subsections A through D above within 10 days after receipt of notice from the Designated Public Officer pursuant to §8.32.040.

§8.32.050 Notice to Owners or Tenants and Service Provisions.

Notices shall be served in writing either personally or by registered mail to the owners, tenants, and persons in

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possession and by posting it upon the lands and structures, if possible, in a conspicuous place. If the whereabouts of an owner is unknown and cannot be ascertained by and through the exercise of reasonable diligence, and service cannot be made by way of personal service or registered mail, the Designated Public Officer exercising the authority provided herein shall make an affidavit to that effect and then cause notice to be published in a newspaper circulating in the Borough at least once and not less than 30 days before the improvement is made by the Borough. Proof by affidavit of service of the notice shall be filed with the officer in charge of the records of tax liens, but failure to file the proofs shall not invalidate the proceedings if service has been made as hereinbefore provided.

§8.32.060 Removal and Abatement; Costs established as Lien.

- A. If the owner, tenant, or person in possession of any lands and structures in question fails to abate the condition(s) complained of in the notice within 10 days after receipt of same or 30 days after publication in the newspaper, and if service is not effectuated by personal or registered mail, the Debris may be removed and Depressions filled by or under the direction of the Designated Public Officer and the removal and fill may be performed under that direction by either the Borough employees or by third-party contractors pursuant to the provisions of the Local Public Contracts Law, unless the action is necessary to prevent imminent danger to life, limb, or property, in which case no-bid contracts may be entered.
- B. Where the Debris shall have been removed and/or Depressions filled by the Borough pursuant to the terms herein, the Designated Public Officer shall certify the cost thereof to the Mayor and Council. The Mayor and Council shall examine the certificate, and if it shall be found correct, the Mayor and Council shall cause the cost as shown thereon to be charged against the lands and structures from which the Debris was removed and/or the Depressions filled. The amount so charged shall forthwith become a lien upon the lands and shall be added to become and form a part of the taxes next to be assessed and levied upon the lands, the same to bear interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.
- C. The responsibilities of the tenants and owners shall not be diminished by the requirement providing for removal of Debris and filling of Depressions by the Borough herein. Removal, abatement, and/or fill by the Borough shall be an alternate, optional procedure to remedy, abate, and alleviate the threats to persons and property and the public health and dangers to public health, safety, and welfare in the event that the tenant and/or owners do not comply with their duties and the notice provided herein.
- D. In the event the Borough removes, abates, and/or fills pursuant to its authority herein and does not secure the services of third-party contractors, the Borough shall charge for all costs related to the services provided by the Borough employees and officials for the removal, abatement, and fill performed, as to be determined by the Mayor and Council. In the event the Borough removes, abates, and/or fills pursuant to its authority herein and secures the services of third-party contractors pursuant to the terms herein, the Borough shall charge the amount for the costs and fees charged by the third-party contractors.
- E. In addition to the assessment of a municipal lien against the premises upon which the Debris or Depression was situate, as aforesaid, the Borough may also elect to enforce the payment of the assessment of the entire cost of the removal of the debris and filling of the depression, together with interest, as a debt of the owner of the premises and may authorize the institution of an action at law for the collection thereof.

§8.32.070 Authorities of Public Officers, Designated Persons, and Contractors.

- A. Powers.
 - 1. The Designated Public Officer is charged with and authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this ordinance, including, all powers provided by N.J.S.A. 40:48-1, et seq., and, in addition to the others granted herein, the following powers:
 - a. To investigate the conditions of the lands and structures;
 - b. To administer oaths, affirmations, examine witnesses, and receive evidence;
 - c. To enter upon the Lands and Structures for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the person(s) in possession, except in circumstances that poses imminent threat and harm to the public health, welfare, and safety;
 - d. To appoint and fix the duties of such officers, agents, and employees as he deems necessary to carry out the purpose of this ordinance; and
 - e. To delegate any of the functions and powers under the ordinance to such officers and agents as he may designate.
 - 2. All third-party contractors retained to remove Debris and fill Depressions shall have the right to enter upon the lands and structures to effectuate all actions required to conduct the removal and filling and actions related thereto under the direction of the designated public officer.
- B. The Designated Public Officer, upon inspection of the Lands and Structures, shall set forth a written report and/or description of the Debris and Depressions, which shall be filed in the Public Officer(s) department

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and a copy with the Clerk of the Borough. The notice served in accordance with §8.32.050, however, shall not include the written report and/or description, but generally set forth the Debris that shall be removed and/or the Depressions that shall be filled within 10 days after receipt of the notice.

§8.32.080 Violations and Penalties.

Any person who is convicted of a violation of this Chapter shall be punishable as provided in Chapter 1.08, General Penalty.

SECTION IV

§15.04 is repealed and replaced with the following.

§15.04.010 Adoption of Property Maintenance Code.

- A. The 2021 International Property Maintenance Code is hereby adopted as the Borough Property Maintenance Code, together with any subsequent amendment, change or supplement thereto, is adopted and incorporated as fully as if set out at length herein, save and except such portions as are deleted, modified, or amended, if any, prescribed herein and as set forth in the Borough Code.
- B. The changes, additions, and exceptions to the International Property Maintenance Code are as follows (section references hereinafter set forth are to sections as set forth in said International Property Maintenance Code).
 - 1. Section PM-101.1 (page 1, second line): insert "Borough of Ship Bottom."
 - 2. Section PM-102.3 is deleted and replaced with, "Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the State Uniform Construction Code Act, the State Uniform Safety Act, the Borough Code, and any other standards or procedures required by the laws of State of New Jersey and by federal law. If none are applicable, repairs, additions or alterations to a structure, or changes of occupancy shall be done in accordance with the procedures and provisions of the International Building Code, International Fuel Gas Code, International Mechanical Code and the ICC Electrical Code."
 - 3. Section PM-103.1 is deleted.
 - 4. Section PM-103.2 is deleted and replaced with "Inspections and issuing orders in connection therewith under the provisions of the 2006 International Property Maintenance Code shall be the exclusive responsibility of the Code Enforcement Official."
 - 5. Sections 107 and 108 are deleted. The Borough may elect to issue a Notice of Violation and provide a time period within which to remedy the violation and/or issue a Summons in accordance with Chapter 1.08, General Penalty and/or avail itself of any remedies at law and equity in the Superior Court of New Jersey.

§15.04.020 Copies on File.

Three (3) copies of the said code, entitled the "2021 International Property Maintenance Code," as prepared and published by the International Code Council, marked with amendments and deletions hereinabove set forth, are to be filed in the office of the Borough Clerk and shall remain on file there for use and examination by the public.

§15.04.030 Violations and Penalties.

Any person who is convicted of a violation of this Chapter shall be punishable as provided in Chapter 1.08, General Penalty.

SECTION V

A new Chapter 15.06 is adopted as follows.

Chapter 15.06 Certificates of Occupancy and Approval

§15.06.010 Certificates of Occupancy and Approval.

- A. It is unlawful to permit the use and/or occupancy of any structure or part thereof until a Certificate of Occupancy has been issued by the Code Enforcement Officer for a Transfer of Title Certificate of Occupancy or by the Construction Official for all other Certificates of Occupancy in accordance with this Chapter and the Uniform Construction Code, as applicable.
- B. A Certificate of Occupancy shall be secured from the Code Enforcement Officer and required as follows.
 - 1. Pursuant to the requirements set forth in N.J.A.C. 5:23-2.23.
 - 2. Upon the completion of construction of any new building.
 - 3. Upon the completion of construction of any addition to an existing building, which addition requires a building permit.

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4. Upon the change in use of and/or addition of any use to any building and/or property and any use that requires site plan approval. The change in use shall also require a new zoning permit.
 5. The change in ownership by transfer of title to any existing structure.
- C. To secure a Certificate of Occupancy, a written application shall be completed and all applicable requirements of the Uniform Construction Code, this Chapter, and the Borough Code, as applicable, shall be met.
1. Unless additional time is agreed upon by the applicant in writing, a Certificate of Occupancy shall be granted or denied in writing within 10 business days from the date a complete application is filed.
- D. Notwithstanding the foregoing, a Certificate of Approval shall be issued for all work that requires a construction permit but does not require a Certificate of Occupancy. No application shall be required for a Certificate of Approval.
- E. As a condition of securing a Certificate of Occupancy or Certificate of Approval, the owner shall permit the designated Borough officials to enter upon and in and examine and inspect the property and structure(s) subject to the certificate of occupancy application for compliance with the applicable requirements.

§15.06.020 Requirements for all Certificates of Occupancy.

- A. The structures shall conform with Title 16 and the use is a permitted use or exists as a valid preexisting nonconforming use and conform to all applicable Uniform Construction Code and Borough Code requirements.
1. The Certificate of Occupancy permit shall reflect the use for which the building is permitted. A person shall not be permitted to occupy a building unless he or she receives an occupancy permit and unless the nature of the occupancy conforms to what is set forth in the Certificate of Occupancy.
 2. The applicant shall permit the Zoning Officer, or his or her designated representative, to enter upon and examine the structures subject to the application to confirm the property conforms to the zoning provisions, or, if not, that the property exists as a valid nonconforming use.
- B. No person shall occupy or allow any person to occupy any structure used for commercial or residential purposes without first having obtained a Certificate of Occupancy.
- C. With the exception of transfer of title Certificates of Occupancy, all local taxes and assessments on the property shall be required to be paid as a condition of approval of a Certificate of Occupancy.
- D. A smoke detector shall be installed in accordance with the following.
1. All smoke detector units shall be powered by an alternating current (AC) constantly active electric circuit which cannot be deactivated by the operation of any interconnected switching device and shall comply with the latest NFPA 70 electrical code. As an alternative, battery-powered single smoke detector units may be installed in dwelling units provided that the following conditions are met.
 - a. The owner or his or her representative shall inspect and maintain all smoke detector units and replace batteries in all smoke detector units annually or as otherwise required per manufacturer's printed recommendations.
 - b. The owner or his or her representative shall place a tag on each smoke detector unit and shall place the date of inspection and his or her initials on the tag.
 - c. Entries shall be made on the tag upon initial installation. An entry made on a tag shall constitute a certification that the smoke detector unit is operating properly. Tags shall be affixed so as not to impair the functioning of the smoke detector unit.
 2. All smoke detector units shall be listed, shall meet the latest requirements of U.L. 217 and shall be installed and maintained as per the manufacturer's recommendations and shall comply with the latest NFPA No. 72E and 74 standards except as otherwise provided.
 3. Single station smoke detector units shall have integral alarms capable of emitting a minimum sound intensity of 85 DBA at a 10-foot distance with an easily seen and easily activated manual unit test button, or approved alternative and a power source monitor light or trouble signal.
 4. Multiple station smoke detector units shall be either a series of interconnected single station units or smoke detectors of the non-self-contained type which are interconnected to a common alarm system.

§15.06.030 Construction and Site Plan Requirements.

- A. A current plot plan of the premises, which plot plan shall show the location of all improvements at the site.

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- B. Site plan, subdivision, and variance approvals, as may be necessary, have been granted by the appropriate agency or agencies in accordance with the provisions of the Borough Code, and the property complies with the requirements for approvals and the Borough Code.
1. With respect to any finally approved subdivision and/or site plan or subsection of such subdivision, a certificate of occupancy shall be issued only upon the written confirmation by the Borough engineer to the construction official of the completion of the following improvements as such improvements may be required as part of subdivision and/or site plan approval:
- a. Curbs;
 - b. All utilities;
 - c. Water supply and sewerage treatment facilities, which shall be functioning and servicing the property in question;
 - d. Storm drainage facilities;
 - e. Final grading of the property;
 - f. Base course (in the case of subdivisions) or final course (in the case of site plans) of the street or streets serving the property;
 - g. Base course (in the case of subdivisions) or final course (in the case of site plans) of driveways and parking areas;
 - h. Landscaping; and
 - i. Any other improvements required as part of subdivision and/or site plan approval.
5. With respect to any individual residential lot within a subdivision or any building containing townhouses or apartments, a certificate of occupancy shall be issued only upon the written confirmation by the Borough engineer to the construction official of the completion of the following improvements, in addition to those listed in Subsection (E)(4) of this section, to the extent the improvements are required as part of a subdivision and/or site plan approval:
- a. Sidewalks;
 - b. Driveway aprons; and
 - c. Street names and regulatory signs.
- C. The applicant shall have submitted a certification by a licensed architect or engineer, sealed by the said architect or engineer, certifying compliance with all provisions of Chapter 16.68, Flood Hazard Prevention, and all National Flood Insurance Program regulations. The Code Enforcement Officer shall certify to the Mayor and Council the compliance or noncompliance of any building located in the Borough with appropriate National Flood Insurance Program regulations and conformance with the provisions of Chapter 16.68, Flood Hazard Prevention.
- D. The Code Enforcement Officer shall receive a certification from the Tax Collector that all taxes and water/sewer charges have been paid and are current on the premises for which a Certificate of Occupancy is sought.
- E. Approval in writing shall be delivered to the Code Enforcement Officer from the Water and Sewer Department certifying compliance with all rules and regulations of the Water and Sewer Department. The Code Enforcement Officer shall request in writing the approval or denial from the Water and Sewer Department, and the Department shall respond in writing within 3 days of the receipt of the written request by the Code Enforcement Officer.

§15.06.040 Temporary Certificate of Occupancy.

- A. A temporary Certificate of Occupancy may be issued although not all requirements have been complied with pursuant to the Uniform Construction Code.
- B. In the event that the applicant shall seek a Temporary Certificate of Occupancy for a development, unit, lot, building, or phase of development, as a condition of the issuance thereof, the applicant shall furnish a separate guarantee in favor of the Borough in an amount equal to 120% of the cost of installation of only those improvements or items which remain to be completed or installed under the terms of the Temporary Certificate of Occupancy and which are required to be installed or completed as a condition precedent to the issuance of the permanent Certificate of Occupancy for the development, unit, lot, building or phase of development and which are not covered by an existing performance guarantee.
1. Upon posting of a Temporary Certificate of Occupancy guarantee, all sums remaining under a performance guarantee that relate to the development, unit, lot, building, or phase of development

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for which the Temporary Certificate of Occupancy is sought shall be released. The scope and amount of the Temporary Certificate of Occupancy guarantee shall be determined by the Borough Engineer. At no time may the Borough hold more than one guarantee or bond of any type with respect to the same line item. The Temporary Certificate of Occupancy guarantee shall be released by the Borough Engineer upon the issuance of a permanent Certificate of Occupancy with regard to the development, unit, lot, building, or phase as to which the Temporary Certificate of Occupancy relates.

2. The scope and amount of the Temporary Certificate of Occupancy guarantee shall be determined by the Construction Code Official or Zoning Officer or their designee, and the form of the guarantee shall be approved by the Borough Attorney. The Temporary Certificate of Occupancy guarantee shall be released by the Construction Code Official or Zoning Officer or their designee upon the issuance of a permanent Certificate of Occupancy with regard to the development, unit, lot, building, or phase as to which the Temporary Certificate of Occupancy relates.

§15.06.050 Transfer of Title Certificate of Occupancy.

- A. No transfer of title by the owner of any real property shall take place unless and until a new Certificate of Occupancy or the owner otherwise complies with the requirements set forth herein.
- B. The application shall include a current plot plan of the premises, which plot plan shall show the location of all improvements at the site, and an elevation certificate.
- C. In the event a transfer of Certificate of Occupancy cannot be issued due to the failure to comply with the applicable requirements, the new owner shall submit a written request to the Code Enforcement Officer and sign an affidavit setting forth that the property shall not be occupied until all requirements are satisfied, the requirements are approved by the Borough, and a Certificate of Occupancy is approved.
- D. Prior to the issuance of a Certificate of Occupancy such certificate shall be submitted to the Building Department on the form provided by the Building Department and be accompanied by a recorded deed, recorded in the Ocean County Clerk's Office at Toms River, New Jersey, which recorded deed shall contain the following specific language:

NOW, here is hereby imposed upon the lands described herein a restrictive covenant advising all future owners of the said lands whether acquired by conveyance, inheritance or otherwise that the lands may only be used in accordance with flood regulations established by the Federal Emergency Management Agency (FEMA). A violation of any of the said FEMA regulations may result in:

- A. An issuance of a summons returnable in the Municipal Court of the Borough of Ship Bottom or any other Court having appropriate jurisdiction, subjecting the defendant to a fine of not less than One Hundred (\$100) Dollars nor more than One Thousand (\$1,000) Dollars per day, or such greater or lesser fine as may be permitted by law, for each and every day that any violation of the said FEMA regulations are violated; or
- B. Subject the owner of the lands to an action in the Chancery Division, Superior Court of New Jersey or any other court having injunctive jurisdiction for a mandatory injunction compelling the owner to remove any structures or improvements which violate the FEMA regulations.

By acceptance of title to the lands encumbered hereby, any owner thereof whether title be acquired by Deed of conveyance, inheritance or otherwise, grants to the appropriate inspection officers of the Borough of Ship Bottom the right upon forty-eight (48) hours advance notice to inspect, during normal business hours, the areas of any structure located on the lands which lie below the base flood elevation (BFE) as defined by FEMA regulations in order to determine compliance with such regulations and for a failure to permit such inspection, the owner of the lands may be subject to Complaint returnable in the Municipal Court of the Borough of Ship Bottom which may result in a fine of not less than One Hundred(\$ 1 00) Dollars nor more than One Thousand (\$1,000) Dollars per day, or such greater or lesser fine as may be permitted by law, for each and every day which inspection is refused.

- E. Where two or more detached dwelling units exist on one parcel of land, whether or not they exist under separate ownership, condominium ownership, time share ownership or any other type of individual or multiple ownership, the seller(s) shall be required to install separate water and sewer services and connections for each dwelling unit. If such services and connections are not installed prior to the issuance of the certificate of occupancy, the seller(s) shall provide the construction official with a letter signed by a responsible official of each of the applicable utility companies stating that the required fees have been paid by the seller(s) for the required utility connections and service, and that the required connections and service shall be installed.

§15.06.060 Denial of Certificate.

- A. No Certificate of Occupancy shall be issued unless the property is in full compliance with the Uniform

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Construction Code and the Borough Code.

- B. Should a Certificate of Occupancy be denied, the reason(s) for denial so shall be stated on 2 copies of the application and 1 copy shall be returned to the applicant.

§15.06.070 Fees.

The required fees are set forth in Chapters 15.18 and 16.84.

§15.06.080 Violations and Penalties.

Any person who is convicted of a violation of this Chapter shall be punishable as provided in Chapter 1.08, General Penalty.

SECTION VI

§16.88.030E is deleted.

SECTION VII

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

SECTION VIII

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 Tuesday, January 23, 2024, at 6:30 p.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 February 27, 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. **OLD BUSINESS**
ORDINANCES

1. 2024-01 Establishing CAP Bank for 2024

PUBLIC HEARING

The Mayor opened the floor for public comment on Ordinance 2024-01 on a motion and second by Councilmen Rossi and Hartman and an all in favor vote. Seeing and Hearing no one wishing to speak on the Ordinance, the Mayor closed the public comment on a first and second by Councilmen Rossi and Hartman and an all in favor vote. With that, the Mayor asked for a motion to approve or deny Ordinance 2023-01. Councilman Hartman made a motion, seconded by Councilman English. A rollcall vote was heard with five in the affirmative. Councilman Butkus was absent, Ordinance 2024-01 was approved for final 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)**

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

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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.

CERTIFICATION

I, KRISTY DEBOER, Municipal Clerk of the Borough of Ship Bottom, in the County of Ocean, New Jersey, HEREBY CERTIFY that annexed hereto is a true and complete copy of Ordinance No. 2024-01 which was introduced and passed on first reading at a duly convened meeting of the Borough Council on January 4, 2023, and finally adopted at a duly convened meeting of the Borough Council on January 23, 2023

IN WITNESS WHEREOF, I hereby set my hand and the seal of the Borough this 23rd day of January.

KRISTY DEBOER
Municipal Clerk

WILLIAM HUELSENBECK
Mayor

2. 2024-02 **Underground Utility Ordinance
PUBLIC HEARING**

The Mayor opened the floor for public comment on Ordinance 2024-02 on a motion and second by Councilmen Rossi and English and an all in favor vote.

Mary Montone, 323 W. 18th Street- Mrs. Montone applauded the Mayor and Council for doing the ordinance but wanted to know why they were not considering making all new construction put the utilities underground.

Mayor Huelsenbeck answered that the council did not want to burden single homeowners with having to install utilities underground as it is extremely costly to do just one parcel with neighboring lines being above ground. However, large developments that have multiple properties in a row makes it easier and less costly for builders/developers.

Seeing and Hearing no one else wishing to speak on the Ordinance, the Mayor closed the public comment on a first and second by Councilmen Rossi and Hartman and an all in favor vote. With that, the Mayor asked for a motion to approve or deny Ordinance 2023-02. Councilman Rossi made a motion, seconded by Councilman English. A rollcall vote was heard with five in the affirmative. Councilman Butkus was absent, Ordinance 2024-02 was approved for final adoption.

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.

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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.

CERTIFICATION

I, **KRISTY DEBOER, RMC**, Municipal Clerk for the Borough of Ship Bottom do hereby certify that the foregoing Ordinance 2023-02 was duly adopted by the Mayor and Council at the meeting held on January 23, 2024, at 6:30 p.m.

Kristy DeBoer, RMC
Municipal Clerk

William Huelsenbeck
Mayor

3. 2024-03 Checklist for Variance Applications

PUBLIC HEARING

The Mayor opened the floor for public comment on Ordinance 2024-03 on a motion and second by Councilmen Rossi and English and an all in favor vote. Seeing and Hearing no one wishing to speak on the Ordinance, the Mayor closed the public comment on a first and second by Councilmen Rossi and Hartman and an all in favor vote. With that, the Mayor asked for a motion to approve or deny Ordinance 2023-03. Councilman Valyo made a motion, seconded by Councilman Rossi. A rollcall vote was heard with five in the affirmative. Councilman Butkus was absent, Ordinance 2024-02 was approved for final adoption.

10. **CORRESPONDENCE**

The Mayor asked for a motion to approve the correspondence. Councilman Valyo made a motion, seconded by Councilman Hartman. A rollcall vote was heard with five in the affirmative, none opposed. Councilman Butkus was absent.

1. Wedding/Veronica Tonnesen- June 23, 2024 4:00/13th Street Beach
2. Kiwanis Club Flea Market Request-Thursdays, July 11th and Thursday, August 15th
3. Chalk Art Event

11. **COMMITTEE REPORTS**

Mayor's Report

Revenue and Finance/Treasurer's Report Councilman David Hartman

Councilman Hartman read the Tax Department Report: 2023 ended with seventeen properties delinquent, six of those properties have been informed that they are subject to tax sale. The tax sale process has started and will take place on March 28th 2024. The collection rate is at 99.75%. Post year tax statements will be mailed out to our seniors who qualify for the senior deduction. The total amount collected in taxes was: \$634,124.24.

Public Safety

Councilman Tom Tallon

Councilman Tallon read the Public Safety Report: There were 5,249 vehicle miles, 458 reported activities, 180 beach, business and building checks. There were 141 traffic stops and three motor vehicle accidents without injury.

The Ship Bottom Volunteer Fire Company had 14 incidents, 181 daybook items for a total of

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46.34 man hours.

Parks and Recreation

Councilman Edward English

Councilman English announced that the borough will be selling specialty beach badges for Valentines Day and until they are sold out and he shared pictures of the badge designs. He reported that the 2024 beach badge order was submitted to the finance department. Dates for the lifeguard swim test and drug urinalysis testing have been scheduled and will be posted on the borough website soon. Lifeguard in Training (LIT) Program information has been posted on the borough website and applications will be accepted starting Saturday, January 27, 2024 at 9:00 am. The lifeguard, badge checker and LIT uniform bid specifications are being put together in order to obtain a formal quote.

Public Property & Community Affairs

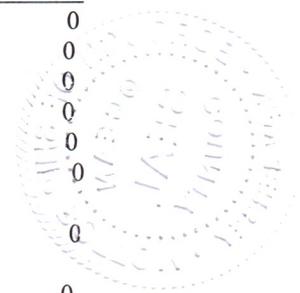
Councilman Joseph Valyo

Permits Processed:	23	Permit Updates:	01
TOTAL:			24
New Buildings:	1	Alterations:	20
Demolitions:	1	Additions:	0
Addition/Rehab	2		
Total Revenue:			\$18,452.00

ZONING REPORT

New Single Family Res:	1	Addition/Alteration:	3
Pavers:	2	Pool:	0
Bulkhead	0	Fence:	0
Total:			10

CODE ENFORCEMENT	Verbal Warnings	Written Warnings	Summons
Unfit Properties	0	1	0
Garbage Container	11	19	0
Recycling Container	9	14	0
Trailer on Street	1	8	0
Illegal Signs/Cones	0	0	0
Temporary Storage Containers	0	7	0
Pavers, Fiberglass	0	0	0
Construction Equipment On Street	3	6	0
TOTALS:	24	55	0



CERTIFICATE OF OCCUPANCY INSPECTIONS

1 TOTAL ALL PASSED

Water/Sewer

Councilman Robert Butkus

Councilman Hartman read the Water/Sewer report in the absence of Councilman Butkus. He reported that the fourth quarter water/sewer bills were mailed out and due on January 20th. We have received many calls concerning homeowners that have turned off their water and are still receiving a bill. Please take note that everyone is responsible for a base fee and is encouraged to read the back of the bill for an explanation. The water meter installation project has started again. Many properties on the west side of 17th Street have been installed. Those properties will receive their first metered bill at the end of March. Twenty two properties have now become metered. The tax sale process has started and any property with unpaid water/sewer for 2023 will be going to tax sale. Please call the office with any questions.

Public Works

Councilman Peter Rossi

Councilman Rossi read the Public Works Report: During the month the public works department checked and repaired Christmas lights, repaired and painted lifeguard benches, Police car repairs, took Christmas decorations down and put away, shrink wrap taken to the county, repair sink and toilet at 3rd St. shop, cleaned off storm drains, picked up Christmas trees and brush, removed urinal 6th St. shop due to leak, picked up metal, picked up litter at street ends, sandbagged doors at Borough Hall, took pirate ship down and replaced with heart at boat ramp, calculate fuel slips, prepped for snow storm, removed desk from Mayor's Office, salted Borough Hall, Fire Dept., Rescue Squad, repaired green benches and painted, built stand for generator at 6th St. shop, removed cabinet in Borough Hall kitchen, lowered bulletin boards, hung fire extinguishers, reset breaker for plaza lights, removed sign at boat ramp, spackled holes in kitchen, picked up salt for upcoming storms from the county.

**MINUTES
REGULAR MEETING OF THE
BOROUGH OF SHIP BOTTOM
JANUARY 23, 2024
6:30 PM**

11. PUBLIC COMMENT

The floor was open for public comment on a motion and second by Councilmen Valyo and Rossi and an all in favor vote.

John Montone 323 W. 18th St.-Mr. Montone thanked the Mayor for his time at the Tax Payers Association Meeting, and sharing the history of the LBI/EJ schools and the selling of the LBI school in past years. He mentioned the spending of tax dollars from both sides of the LBICSD and Borough of Ship Bottom. He wanted to know if the Borough was considering a meeting with the school board to come to an agreement so no more legal fees would occur. He wanted to know if it would be in the best interest of the tax payers to consolidate with the mainland schools.

Jimmy, LBI Table, Jim wanted to alert the mayor and council of a parking situation near his business, involving his business and Walters Bicycles and the 15 minute parking signs that were installed. He would like the signs removed.

Jackie Valerio, 2501 Ocean-Mrs. Valerio wanted to know if the Borough had received the grant for the new pickleball courts and when the project will begin.

With no further public comment, the floor was closed for comment on a motion by Councilman Rossi, seconded by Councilman English.

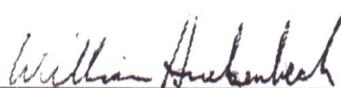
12. ADJOURN THE MEETING

The Mayor adjourned the meeting on a motion by Councilman Rossi, seconded by Councilman English and an all in favor vote at 7:37 p.m.





Kristy DeBoer
Municipal Clerk



William Huelsenbeck
Mayor



BOROUGH OF SHIP BOTTOM

Gateway to Long Beach Island

1621 Long Beach Blvd.

Ship Bottom, Ocean County, N.J. 08008

(609)494-2171 OR 2172 FAX (609) 494-7763

CORRECTIVE ACTION PLAN

Borough of Ship Bottom
Ocean County, New Jersey

Date of Audit:
September 8, 2023

22-01 Finding – Not all municipal revenues were deposited within 48 hours as prescribed by N.J.S. 40A:5-15

Criteria – All monies received from any source by or on behalf of any local unit or any board or department thereof shall, within 48 hours after the receipt thereof, either (a) be paid to the officer charged with the custody of the general funds of the local unit, who shall deposit all such funds within 48 hours after the receipt thereof to the credit of the local unit in its designated legal depository or, (b) be deposited to the credit of the local unit in its designated legal depository.

Recommendation – That all municipal revenue be deposited within 48 hours as prescribed by N.J.S. 40A:5-15

Explanation and Corrective Action – All municipal revenues will be deposited within 48 hours as prescribed by N.J.S. 40A:5-15

Implementation Date - Immediately

22-02 Finding – There were deferred charges to future taxation unfunded balances as of December 31, over five years old in the utility capital fund

Criteria – Upon authorization of capital projects, the Borough establishes deferred charges for the cost of the capital projects to be raised by future taxation. Funded deferred charges relate to permanent debt issued, whereas unfunded deferred charges relate to temporary or non-funding of the authorized cost of capital projects. According to N.J.S. 40A:2-4, the Borough may levy taxes on all taxable property within its jurisdiction to repay its debt. The Borough raises the debt requirements for its debt in its current budget as funds are raised thereby reducing the deferred charges.

Recommendation – That the deferred charges over five years old be funded either by borrowing or by raising the funds in the next succeeding budget cycle.

Explanation and Corrective Action – All deferred charges over five years old will be funded by raising funds in the 2024 budget.

Implementation Date – January 1, 2024

P.O. Type: All Include Project Line Items: Yes Open: N Paid: Y Void: N
 Range: First to Last Rcvd: N Held: N Aprv: Y
 Format: Condensed First Enc Date Range: 12/29/23 to 01/23/24 Bid: Y State: Y Other: Y Exempt: Y
 Vendors: All Include Non-Budgeted: Y
 Rcvd Batch Id Range: First to Last

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
901BA005	J&A LLC	23-01183	11/28/23	Release of Escrow Bond	Open	47,613.48	0.00		
AAAC005	A-ACADEMY OF SOUTH JERSEY, INC	23-00232	01/18/23	2023 ANIMAL CONTROL	Open	335.00	0.00		B
ACCES005	ACCSES NEW JERSEY, INC	24-00026	01/16/24	PORTER SERVICE	Open	1,036.80	0.00		
ADTC005	ADT COMMERCIAL	24-00065	01/23/24	SERVICES PROVIDED 1/29-2/28	Open	62.50	0.00		
AMAZ005	AMAZON.COM	24-00025	01/16/24		Open	29.98	0.00		
AMER055	AMERICAN WEAR INC	24-00092	01/23/24	UNIFORM CLEANING 2024	Open	720.00	0.00		B
APPR005	APPRIVER, LLC	24-00062	01/23/24	HOSTED EMAIL - DEC to JAN	Open	353.40	0.00		
ATLAN050	ATLANTIC CITY ELECTRIC	24-00010	01/12/24	ELECTRICITY & STREET LIGHTING	Open	32,254.32	0.00		
COAST010	ATLANTIC PRINTING & DESIGN	24-00078	01/23/24	HAND PRINT CARDS 8X8	Open	21.70	0.00		
AWISC005	AWISCO NEW YORK CORP	24-00022	01/16/24	COMPRESSED OXYGEN, ACETYLENE	Open	67.79	0.00		
BARBA010	BARBARA COURTS	24-00081	01/23/24	COURT RECORDING 1/8/2024	Open	75.00	0.00		
BEACH020	BEACH HAVEN AUTOMOTIVE, INC	24-00097	01/23/24	parts	Open	1,151.45	0.00		
BEACH030	BEACH HAVEN TIMES	24-00004	01/09/24	Legal Ads, 1/4/2024	Open	10.54	0.00		
CENTR010	CENTRAL JERSEY HEALTH INS FUND	24-00050	01/19/24	DENTAL & VISION COVERAGE 2024	Open	5,421.00	0.00		B
CINTA005	CINTAS CORPORATION NO. 2	24-00024	01/16/24	FIRST AID SUPPLIES	Open	7.15	0.00		
		24-00080	01/23/24	FIRST AID SUPPLIES	Open	74.95	0.00		
						82.10			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CLEAR010	CLEARY, GIACOBBE, ALFIERI & JA	24-00021	01/16/24	PROF. SERVICES RENDERED - DEC	Open	6,171.00	0.00		
COLUM005	COLUMN SOFTWARE, PBC	24-00068	01/23/24	1/16/2024 GENERAL LEGAL NOTICE	Open	109.64	0.00		
COMCA010	COMCAST CABLE	24-00008	01/11/24	TV/INTERNET/CABLE	Open	1,669.15	0.00		
CONST010	CONNOR STRONG & BUCKLEW	24-00061	01/23/24	EMPLOYEE BENEFITS CONSULTING	Open	550.00	0.00		
HDSUP010	CORE & MAIN, L.P.	24-00072	01/23/24	SENSUS ANALYTICS FEE YRS	Open	15,277.93	0.00		
CORON015	CORONATO LAW	23-01328	12/29/23	PROFESSIONAL SERVICES RENDERED	Clsd	3,927.00	0.00		
CREATO05	CREATIVE MANAGEMENT INC	24-00088	01/23/24	FUEL INVOICES	Open	1,495.58	0.00		
DASTI010	DASTI MURPHY MCGUCKIN	23-00541	01/18/23	PROFESSIONAL SERVICES RENDERED	Open	3,696.50	0.00		B
DILW0005	DILWORTH PAXSON LLP	23-01329	12/29/23	SERVICES RENDERED/GEN OBL BOND	Clsd	15,944.00	0.00		
		24-00082	01/23/24	SERVICES RENDERED/GEN OBL BOND	Open	20,373.50	0.00		
						36,317.50			
DIREC005	DIRECT ENERGY BUSINESS	24-00038	01/17/24	ELECTRICITY-VARIOUS LOCATIONS	Open	4,236.81	0.00		
EAST010	EASTERN WAREHOUSE DISTRIBUTORS	24-00098	01/23/24	parts	Open	578.44	0.00		
EDMUN010	EdmundsGovTech, Inc	24-00012	01/16/24	24 SOFTWARE MAINT & CLOUD HOST	Open	21,318.19	0.00		
		24-00013	01/16/24	2024 VALIDATOR MAINTENANCE	Open	2,436.03	0.00		
						23,754.22			
GANN010	GANNETT NEW JERSEY NEWSPAPERS	24-00027	01/16/24	LURB PUBLIC NOTICE	Open	49.08	0.00		
		24-00032	01/16/24	ANNUAL MEETING NOTICES	Open	325.64	0.00		
						374.72			
GARDE005	GARDEN STATE BOBCAT	23-01273	12/18/23	BOBCAT PARTS	Open	96.83	0.00		
GLOBAD15	GLOBAL INTERACTIVE SOLUTIONS	24-00071	01/23/24	ZOOM PRO ACCOUNT/ANNUAL SERVIC	Open	278.99	0.00		
KAREN010	KAREN GARCIA	24-00018	01/16/24	REIMBURSEMENT-MILEAGE & TOLLS	Open	1,074.88	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
KONIC010 KONICA MINOLTA BUSINESS									
		24-00059	01/23/24	FORTINET FORTIGATE 60FSECUR AP	Open	878.00	0.00		
		24-00060	01/23/24	ALL COVERED MONTHLY CARE DEC	Open	2,095.09	0.00		
						<u>2,973.09</u>			
KONIC005 KONICA MINOLTA PREMIER FINANCE									
		24-00058	01/23/24	COPIER LEASE PMT - JAN 2024	Open	228.11	0.00		
LANGU010 LANGUAGE SERVICES ASSOCIATES									
		24-00063	01/23/24	DECEMBER PHONE INTERPRETATION	Open	10.50	0.00		
LONG040 LONG BEACH TWP.									
		23-01327	12/29/23	REIMB/FEES COLLECTED DEC 2023	Clsd	3,123.00	0.00		
MERCE005 MERCER COUNTY M.C.D. & C.A.A.									
		24-00085	01/23/24	APRIL 26 2024 CONFERENCE	Open	65.00	0.00		
MIRAC010 MIRACLE CHEMICAL COMPANY									
		24-00083	01/23/24	15% SODIUM HYPOCHLORITE GALLON	Open	812.37	0.00		
MOD010 MODERN GROUP, LTD.									
		24-00055	01/23/24	PUMP STATION GENERATOR MAINT.	Open	3,567.66	0.00		
MONMO010 MONMOUTH & OCEAN COUNTIES TCTA									
		24-00089	01/23/24	2024 MEMBERSHIP	Open	160.00	0.00		
MOODY005 MOODY'S INVESTORS SERVICE, INC.									
		23-01331	12/29/23	PROFESSIONAL SERVICES RENDERED	Clsd	25,500.00	0.00		
NJCON010 N.J. CONFERENCE OF MAYORS									
		24-00073	01/23/24	2024 MEMBERSHIP DUES	Open	295.00	0.00		
NJPLA010 N.J. PLANNING OFFICIALS									
		24-00028	01/16/24	NJPO Booklets	Open	55.40	0.00		
NJSTA020 N.J. STATE LEAGUE OF MUNICIPAL									
		24-00076	01/23/24	2024 MEMBERSHIP DUES	Open	307.00	0.00		
NJWAT010 N.J. WATER ASSOCIATION									
		24-00067	01/23/24	2024 MEMBERSHIP DUES	Open	520.00	0.00		
NEVRO010 NEVRON ELECTRICAL CONTRACTORS									
		24-00064	01/23/24	20TH ST GAZEBO LED REPLACEMENT	Open	150.00	0.00		
NJMMA010 NJ MUNICIPAL MANAGEMENT ASSOC									
		24-00075	01/23/24	ANNUAL MEMBERSHIP DUES-2024	Open	250.00	0.00		
OCDEP010 O.C. DEPARTMENT OF FINANCE									
		24-00035	01/16/24	2024 TAX LEVY - 1ST QTR. 2024	Open	1,745,297.05	0.00		
		24-00086	01/23/24	2023 ADDED & OMITTED ASSESMENT	Open	60,205.28	0.00		
						<u>1,805,502.33</u>			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
OCMAY010	O.C. MAYORS ASSOCIATION	24-00074	01/23/24	2024 MEMBERSHIP DUES	Open	250.00	0.00		
OCMUN010	O.C. MUNICIPAL JOINT INS. FUND	24-00005	01/09/24	1ST INSTALLMENT 2024	Open	193,350.00	0.00		
		24-00006	01/09/24	1ST INSTALLMENT 2024/SBFD&FA	Open	1,587.00	0.00		
						194,937.00			
OCSHE005	O.C. SHERIFF'S OFFICE	23-00649	07/24/23	FEDON GARNISHMENT Apr-Jul 23	Open	1,145.20	0.00		
ONECA010	ONE CALL CONCEPTS	23-00380	01/18/23	MARK OUTS & VOICE TICKETS	Open	101.17	0.00		B
OWEN010	OWEN LITTLE AND ASSOCIATES	24-00069	01/23/24	ENGINEERING SERVICES	Open	11,423.69	0.00		
PAVIA005	PAVIA ENTERPRISES LLC	24-00094	01/23/24	COURIER SERVICES - DEC 2023	Open	291.96	0.00		
PBAL0005	PBA LOCAL 175	24-00041	01/18/24	PBA UNION DUES OCT/NOV/DEC 23	Open	1,460.00	0.00		
PETTY010	PETTY CASH	24-00007	01/09/24	PETTY CASH	Open	250.00	0.00		
PHOENIX1	PHOENIX ADVISORS LLC	24-00030	01/16/24	ANNUAL FEE/SET UP FEE/FILINGS	Open	2,150.00	0.00		
PRESS	PRESS OF ATLANTIC CITY	24-00033	01/16/24	ANNUAL MEETING NOTICES	Open	228.48	0.00		
RIGGI010	RIGGINS, INC.	24-00087	01/23/24	FUEL INVOICES	Open	922.50	0.00		
RUMPF005	RUMPF LAW P.C.	24-00034	01/16/24	PUBLIC DEFENDER SERVICES	Open	200.00	0.00		
SHERR005	SHERRY LEE RAHRER	24-00096	01/23/24	JANITORIAL SERVICES - JAN 2024	Open	1,773.33	0.00		
SOUTH060	SOUTHERN REGIONAL SCHOOL DISTR	24-00052	01/23/24	REGIONAL SCHOOL TAXES 2024	Open	275,148.08	0.00		B
STAND010	STANDARD INSURANCE COMPANY	23-01330	12/29/23	SHORT-TERM DISABILITY DEC 2023	Clsd	595.51	0.00		
STATE010	STATE OF NEW JERSEY-PWT	24-00099	01/23/24	PUBLIC WATER TAX -4TH QTR 2023	Open	167.30	0.00		
SUBUR010	SUBURBAN DISPOSAL INC.	24-00095	01/23/24	SOLID WASTE & RECYCLING - DEC	Open	47,278.85	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
TMAS005	T & M ASSOCIATES	24-00019	01/16/24	PROFESSIONAL SERVICES RENDERED	Open	330,288.63	0.00		
TCTA010	TCTANS	24-00090	01/23/24	2024 MEMBERSHIP	Open	200.00	0.00		
TERRA010	TERRACAST PRODUCTS, LLC	24-00023	01/16/24	SHIPPING CHARGE FROM INV 2514	Open	926.00	0.00		
THEG005	THE GOLDSTEIN PARTNERSHIP	24-00020	01/16/24	SBMB/BASIC/56	Open	3,246.25	0.00		
HONO010	THE HON COMPANY	23-00435	05/09/23	NEW MUNICIPAL BLDG. FURNITURE	Open	52,992.51	0.00		
THESA010	THE SANDPAPER	24-00036	01/16/24	Christmas Parade Thank You Ad	Open	565.00	0.00		
		24-00037	01/16/24	Caution Ad	Open	198.22	0.00		
						763.22			
TOWNS010	TOWNSHIP OF STAFFORD	24-00029	01/16/24	2024 CO-OP ANNUAL ADMIN FEE	Open	500.00	0.00		
		24-00051	01/23/24	ANNUAL MANAGEMENT SERVICES '24	Open	10,999.05	0.00		B
		24-00054	01/23/24	OVERTIME FOR 2023	Open	6,563.88	0.00		
						18,062.93			
TRAIN005	TRAINING UNLIMITED, LLC	24-00070	01/23/24	MUNI ETHICS & MUNI LICENS MTGS	Open	225.00	0.00		
TREAS070	TREASURER, STATE OF NJ/1992GT	24-00093	01/23/24	1992 GREEN TRUST PMT #32	Open	9,938.59	0.00		
TUCKE010	TUCKERTON LUMBER COMPANY	24-00001	01/09/24	zip ties for christmas lights	Open	525.43	0.00		
		24-00053	01/23/24	JANUARY 2024 INVOICES	Open	334.18	0.00		
						859.61			
USPOS010	U.S. POSTAL SERVICE	23-01333	12/29/23	BULK RATE POSTAGE	Clsd	1,000.00	0.00		
USABC010	USA BLUEBOOK	23-01334	12/29/23	FREE CHLORINE REAGENT SET	Open	451.64	0.00		
VERTZ010	VERTZON	22-01231	12/30/22	Relocate copper & fiver demarc	Open	7,107.13	0.00		
		24-00077	01/23/24	TELEPHONE SERVICES	Open	682.39	0.00		
						7,789.52			
VERTZ020	VERTZON WIRELESS	24-00079	01/23/24	CELL PHONE & MDT 11/16-12/15	Open	969.61	0.00		
WBMAS010	W.B. MASON CO., INC.	24-00016	01/16/24	OFFICE SUPPLIES	Open	554.01	0.00		

January 25, 2024
02:21 PM

BOROUGH OF SHIP BOTTOM
Purchase Order Listing By Vendor Name

Page No: 6

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
WBMA010	W.B. MASON CO., INC.	24-00042	01/18/24		Continued Open	<u>813.08</u> 1,367.09	0.00		
Total Purchase Orders:		92	Total P.O. Line Items:		0	Total List Amount:	2,999,767.38	Total Void Amount:	0.00

Totals by Year-Fund

Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Project Total	Total
CURRENT FUND	3-01	112,983.74	0.00	0.00	0.00	112,983.74
WATER/SEWER FUND	3-06	20,883.24	0.00	0.00	0.00	20,883.24
Year Total:		133,866.98	0.00	0.00	0.00	133,866.98
CURRENT FUND	4-01	2,219,171.11	0.00	0.00	0.00	2,219,171.11
WATER/SEWER FUND	4-06	128,203.93	0.00	0.00	0.00	128,203.93
	4-11	0.00	0.00	0.00	51,800.48	51,800.48
Year Total:		2,347,375.04	0.00	0.00	51,800.48	2,399,175.52
CAPITAL FUND	C-04	455,099.02	0.00	0.00	0.00	455,099.02
UTILITY CAPITAL FUND	C-07	5,332.66	0.00	0.00	0.00	5,332.66
Year Total:		460,431.68	0.00	0.00	0.00	460,431.68
	P-22	2,605.20	0.00	0.00	0.00	2,605.20
TRUST-OTHER	T-03	565.00	0.00	0.00	0.00	565.00
CONSTRUCTION TRUST	T-13	3,123.00	0.00	0.00	0.00	3,123.00
Year Total:		3,688.00	0.00	0.00	0.00	3,688.00
Total of All Funds:		2,947,966.90	0.00	0.00	51,800.48	2,999,767.38

Project Description	Project No.	Project Total
J & A REALTY LLC	2095	47,613.48
FLUENR	C 23-08	125.00
RENNER, PAUL	DKT 22-10	1,452.00
OAKLEY SISTERS TRUST	DKT 23-10	960.00
118 E. 29th Street, LLC	DKT 23-11	825.00
ULRICH, JAMES	DKT 23-12	825.00
Total of All Projects:		<u>51,800.48</u>

	Gross	On Call/GTL	Gross	M.C.	SS	FICA	SDI	SUI	SUI/SDI	DCRP
Totals (-GTL)	\$ 115,623.67	\$ -	\$ 115,623.67	1,586.70	\$ 6,784.43	\$ 8,371.13	\$ -	\$ 693.75	\$ 693.75	\$ -
Water	\$ 6,266.63	\$ -	\$ 6,266.63	85.13	\$ 363.93	\$ 449.06	\$ -	\$ 37.60	\$ 37.60	\$ -
Current Fund	\$ 109,357.04	\$ -	\$ 109,357.04	1,501.57	\$ 6,420.50	\$ 7,922.07	\$ -	\$ 656.15	\$ 656.15	\$ -

SHIP BOTTOM
Payroll proof
1/11/2024

CF Payroll	109,357.04
CF FICA & Unempl	8,578.22
W/S Payroll	6,266.63
W/S FICA & Unempl	486.66
DCRP	0.00
	<u>124,688.55</u>
Total Earnings	116,024.62
Employer FICA, Unempl, & DCRP	9,064.88
Group Term Life	(400.95)
	<u>124,688.55</u>