

**MINUTES
SPECIAL MEETING OF THE
BOROUGH OF SHIP BOTTOM
MAY 20, 2024
3:30 PM**

1. **CALL TO ORDER**

The Mayor called the meeting to order at 3:30 PM

2. **FLAG SALUTE AND PRAYER**

The Mayor led the flag salute and the Clerk read the prayer.

3. **STATEMENT OF NOTICE**

The Clerk read the Statement of Notice.

4. **ROLL CALL**

The following were present:

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

Also present:

Kathleen Flanagan, CFO/Borough Coordinator
Kristy DeBoer, Municipal Clerk
Cameron MacLeod, Gibbons Law

5. **NEW BUSINESS**

1. 2024-95 Hiring of Seasonal Employees – Beach Ops.

**RESOLUTION 2024-95
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
SALARIES FOR TEMPORARY BEACH PATROL
WITHIN BEACH OPERATIONS**

NOW, THEREFORE, BE IT RESOLVED, that the following personnel is temporarily employed within Beach Operations for the 2024 summer season as follows:

<u>NAME</u>	<u>PAY RATE</u>	<u>POSITION</u>
Angelina Aviles	\$17.00 per hour	Recreation Attendant
Jim Skelly	\$17.00 per hour	Beach Badge Booth Attendant
Matthew McCrosson	\$18.00 per hour	Gator Driver

Motion: Councilman English

Second: Councilman Valyo

Dated: May 20, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a special meeting held on May 20, 2024.

Kristy DeBoer, RMC
Municipal Clerk

**MINUTES
SPECIAL MEETING OF THE
BOROUGH OF SHIP BOTTOM
MAY 20, 2024
3:30 PM**

**2. 2024-96 Awarding Contract for 2024 Beach Patrol and Public Works Uniforms
RESOLUTION 2024-96**

**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AWARDED A BID FOR THE 2024 BEACH PATROL AND
DEPARTMENT OF PUBLIC WORKS UNIFORMS**

WHEREAS, the Borough of Ship Bottom duly advertised for the receipt for bids for the 2024 Beach Patrol and Department of Public Works Uniforms; and

WHEREAS, in response to the invitation to bidders, two (2) bids were received from Shore Promotions, and Original Watermen on May 1, 2024; and

WHEREAS, the bids were reviewed by the Chief Financial Officer and it has been determined that Shore Promotions, and Original Watermen have submitted the lowest possible bids in accordance with the bid specifications, based on the lowest total bid amount or amount per item or items; and

WHEREAS, it is the desire of the governing body to award a contract for the 2024 Beach Patrol and Department of Public Works Uniforms to Shore Promotions and Original Watermen; and

WHEREAS, the funds which are available for this contract are found in the following line-item appropriations or ordinances: Beach Operations, LIT Trust, Streets and Road Maintenance, Public Building and Grounds, Equipment Maintenance Repair, and Beach Front Maintenance

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

1. That a certified copy of this resolution, together with a copy of the contract between the parties, be forwarded to the Chief Financial Officer and to

Motion: Councilman Tallon

Second: Councilman Hartman

Dated: May 20, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing resolution is a true copy of the resolution adopted by the Mayor and Borough Council of the Borough of Ship Bottom this 20th day of May, 2024.

Kristy DeBoer, RMC
Municipal Clerk
Borough of Ship Bottom

**3. 2024-97 Authorizing Executive Session – Matter of Attorney Client Privilege
RESOLUTION 2024-97
SHIP BOTTOM BOROUGH COUNCIL RESOLUTION AUTHORIZING EXECUTIVE SESSION**

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Ship Bottom Borough Council to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive Session," i.e. without the public being permitted to attend, and

WHEREAS, the Ship Bottom Borough Council has determined that one (1) issue permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance and shall be discussed during an Executive Session to be held on May 20, 2024 at 3:30 P.M, and

WHEREAS, the nine (9) exceptions to open public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box which will be marked when the issues to be privately discussed fall within that exception, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

"(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion." The legal citation to the provision(s) at issue is: _____ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(2) Any matter in which the release of information would impair a right to receive funds from the federal government." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

**MINUTES
SPECIAL MEETING OF THE
BOROUGH OF SHIP BOTTOM
MAY 20, 2024
3:30 PM**

"(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body." The collective bargaining contract(s) discussed are:

"(5) Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

X "(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer." The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed:
Potential Litigation

"(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting." Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478 (1991), the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are:

"(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

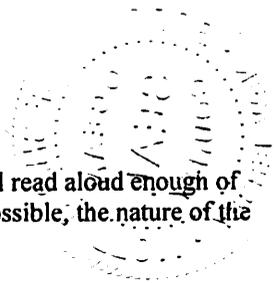
WHEREAS, the length of the Executive Session is estimated to be thirty (30) minutes and no action will be taken following Executive Session.

NOW, THEREFORE, BE IT RESOLVED that the Ship Bottom Borough Council will go into Executive Session for only the above stated reasons; and

BE IT FURTHER RESOLVED that the Council hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary):

Subject of Discussion	Estimated Date	Necessary Occurrence
Potential Litigation confidentiality no longer exists	None	None, Unless the need for

BE IT FURTHER RESOLVED that the Clerk, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the



**MINUTES
SPECIAL MEETING OF THE
BOROUGH OF SHIP BOTTOM
MAY 20, 2024
3:30 PM**

matters that will privately be discussed; and

BE IT FURTHER RESOLVED that the Clerk, on the next business day following this meeting, shall post this Resolution on the Borough Message Board and furnish a copy of this Resolution to any member of the public who requests one at the fees allowed by N.J.S.A. 47:1A-1 et seq.

Motion: Councilman Butkus
Second: Councilman Rossi
Dated: May 20, 2024
Roll Call: Hartman, Tallon, Valyo, English, Butkus, Rossi all aye.

CERTIFICATION

I, Kristy DeBoer, RMC, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing resolution was duly adopted by the Municipal Council of the Borough of Ship Bottom at a public meeting held on the 20th day of May, 2024, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 20th day of May, 2024.

Kristy DeBoer, RMC
Municipal Clerk

The Mayor closed the meeting for executive session on a motion and second by Councilmen Butkus and Rossi and an all in favor vote. The Mayor expressed that executive session would last approximately thirty minutes.
The meeting closed for executive session at 3:33 PM.

SEE EXECUTIVE SESSION MINUTES.

The meeting reconvened at 4:08 PM.

The following were present:

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

Also present:

Kathleen Flanagan, CFO/Borough Coordinator
Kristy DeBoer, Municipal Clerk

6. PUBLIC COMMENT

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

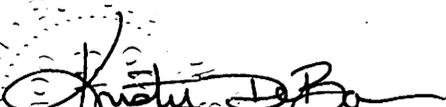
There was no one from the public in attendance at the meeting.

There was a brief discussion about the legality of council members receiving health benefits.

With no one wishing to speak the Mayor closed public comment with a motion and second by Councilmen Butkus and Rossi and an all in favor vote.

7. ADJOURN THE MEETING

With a motion by Councilman English, seconded by Councilman Butkus, and an all in favor vote. The Mayor adjourned the meeting at 4:24 PM.



Kristy DeBoer, RMC
Municipal Clerk



William Huelsenbeck
Mayor