

**MINUTES
REGULAR MEETING OF THE
BOROUGH OF SHIP BOTTOM
JUNE 25, 2024
6:30 PM**

1. **CALL CAUCUS TO ORDER**

The Mayor called the meeting to order at 6:32 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 Clerk took a 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

5. **CAUCUS DISCUSSION**

None.

6. **CALL REGULAR MEETING TO ORDER**

The Mayor opened the regular meeting.

7. **APPROVAL OF MINTUES**

The minutes were approved as presented with a motion by Councilman Tallon, seconded by Councilman Butkus. A roll call vote was heard with six in the affirmative, none opposed.

May 28, 2024 Regular Meeting
June 12, 2024 Special Meeting

8. **NEW BUSINESS**

The Clerk read each resolution by title. The Mayor asked for a motion and second for each and a roll call was taken. The vote is depicted within each resolution.

1. 2024-114 Approval of the Bills

**RESOLUTION 2024-114
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$276,492.37**

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 \$276,492.37 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 Hartman

Second: Councilman English

Dated: June 25, 2024

Roll Call: English, Butkus, Rossi, Hartman, Tallon, Valyo, 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 June 25, 2024.

Kristy DeBoer, RMC
Municipal Clerk

2. **CONSENT AGENDA**

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All matters listed under item, Consent Agenda, are considered to be routine by the Municipal Council, and will be enacted by one motion in the form listed. Any items requiring expenditure are supported by a Certification of Availability of Funds and any item requiring discussion will be removed from the Consent Agenda and discussed separately. All Consent Agenda items will be reflected in full in the minutes.

3. 2024-115 Renewal of Liquor License Lang's Liquors

**RESOLUTION 2024-115
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE RENEWAL OF A PLENARY RETAIL
DISTRIBUTION LICENSE FOR SHREE HARI HARSHKETU
CORPORATION T/A LANG'S LIQUORS**

WHEREAS, Shree Hari Harshketu Corporation t/a Lang's Liquors (hereinafter Licensee) is the current holder of a Plenary Retail Distribution License; and

WHEREAS, the Licensee has filed a new renewal application for the fiscal year July 1, 2024 to June 30, 2025; and

WHEREAS, the Licensee has complied with the state law and local ordinances with respect to the issuance of a liquor license and has submitted the proper application and license fees; and

WHEREAS, it is the desire of the governing body of the Borough of Ship Bottom to renew said license subject to and in accordance with the restrictions as set forth in Schedule "A" which is attached hereto and made part hereof.

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 Plenary Retail Distribution License be issued to Shree Hari Harshketu Corporation T/A Lang's Liquors, License No. 1528-44-003-004, located at 2401 Long Beach Blvd., for the fiscal year July 1, 2024 to June 30, 2025.
2. The renewal of said license shall be subject to and in accordance with the restrictions as set forth in Schedule "A" which is attached hereto and made a part hereof.
3. That a certified copy of this Resolution shall be forwarded by the Municipal Clerk to Shree Hari Harshketu Corporation t/a Lang's Liquors.

**SCHEDULE A
SHREE HARI HARSHKETU T/A LANG'S LIQUOR**

1. The premises licensed by the municipality shall, between the hours of 7:00 p.m. and closing, allow no windows or doors to remain open except that doors may be briefly opened to allow the immediate ingress and egress of patrons.
2. Any undue noise or amplified music or sounds emanating from the licensed premises to the annoyances of neighbors shall be grounds for the revocation of this license.
3. The licensee shall make every effort to prevent the congregation of patrons on the streets and public ways abutting and adjoining the licensed premises.
4. Parking areas in conformance with regard to sidewalk right-of-way shall be observed and proper ingress and egress shall be complied with.
5. A violation of any of these restrictions shall be cause for suspension or revocation of the license upon hearing before the Mayor and Council following written charges given the licensee.

Motion: Councilman Rossi

Second: Councilman Butkus

Dated: June 25, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on June 25, 2024.

Kristy DeBoer, RMC
Municipal Clerk

4. 2024-116 Renewal of Liquor License Shell Liquors

**RESOLUTION 2024-116
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE RENEWAL OF A PLENARY RETAIL
DISTRIBUTION LICENSE FOR VEERA PRIYA, INC.
T/A SHELL LIQUORS**

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WHEREAS, Veeral Priya, Inc., T/A Shell Liquors (hereinafter Licensee) is the current holder of a Plenary Retail Distribution License; and

WHEREAS, the Licensee has filed a new renewal application for the fiscal year July 1, 2024 to June 30, 2025; and

WHEREAS, the Licensee has complied with the state law and local ordinances with respect to the issuance of a liquor license and has submitted the proper application and license fees; and

WHEREAS, it is the desire of the governing body of the Borough of Ship Bottom to renew said license subject to and in accordance with the restrictions as set forth in Schedule "A" which is attached hereto and made part hereof.

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

4. That a Plenary Retail Distribution License be issued to Veeral Priya, Inc. T/A Shell Liquors, License No. 1528-44-007-006, located at 1414 Long Beach Blvd., for the fiscal year July 1, 2024 to June 30, 2025.
5. The renewal of said license shall be subject to and in accordance with the restrictions as set forth in Schedule "A" which is attached hereto and made a part hereof.
6. That a certified copy of this Resolution shall be forwarded by the Municipal Clerk to Veeral Priya, Inc. t/a Shell Liquors.

**SCHEDULE A
VEERAL PRIYA, INC., T/A SHELL LIQUOR**

6. The premises licensed by the municipality shall, between the hours of 7:00 p.m. and closing, allow no windows or doors to remain open except that doors may be briefly opened to allow the immediate ingress and egress of patrons.
7. Any undue noise or amplified music or sounds emanating from the licensed premises to the annoyances of neighbors shall be grounds for the revocation of this license.
8. The licensee shall make every effort to prevent the congregation of patrons on the streets and public ways abutting and adjoining the licensed premises.
9. Parking areas in conformance with regard to sidewalk right-of-way shall be observed and proper ingress and egress shall be complied with.
10. A violation of any of these restrictions shall be cause for suspension of revocation of the license upon hearing before the Mayor and Council following written charges given the licensee.

Motion: Councilman Rossi
Second: Councilman Butkus
Dated: June 25, 2024
Roll Call: English, Butkus, Rossi, Hartman, Tallon, Valyo, all aye.

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on June 25, 2024.

Kristy DeBoer, RMC
Municipal Clerk

5. 2024-117 Renewal of Pocket Liquor License The Baldwin Grille, LLC
**RESOLUTION 2024-117
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING RENEWAL OF A PLENARY RETAIL
CONSUMPTION LICENSE FOR THE BALDWIN GRILLE, LLC
AS AN INACTIVE POCKET LICENSE**

WHEREAS, The Baldwin Grille, LLC, (hereinafter Licensee) is the current holder of a Plenary Retail Consumption that became inactive November, 2017; and

WHEREAS, the Licensee has filed a renewal application for the fiscal year July 1, 2024 to June 30, 2025; and

WHEREAS, the Licensee has complied with the state law and local ordinances with respect to the issuance of a liquor license and has submitted the proper application and license fees; and

WHEREAS, it is the desire of the governing body of the Borough of Ship Bottom to renew said license as an inactive license.

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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 Plenary Retail Consumption License be issued to The Baldwin Grille, LLC, License No. 1528-33-005-009, located at 351 W. 9th St., for the fiscal year July 1, 2024 to June 30, 2025 as an inactive pocket license.
2. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to The Baldwin Grille, LLC.

Motion: Councilman Rossi
Second: Councilman Butkus
Dated: June 25, 2024
Roll Call: English, Butkus, Rossi, Hartman, Tallon, Valyo, all aye.

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on June 25, 2024.

Kristy DeBoer, RMC
Municipal Clerk

6. 2024-118 Renewal of Liquor License The Arlington
**RESOLUTION 2024-118
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE RENEWAL OF A PLENARY
RETAIL CONSUMPTION LICENSE WITH A BROAD PACKAGE
PRIVILEGE FOR 1302 RESTAURANT, LLC T/A THE ARLINGTON**

WHEREAS, 1302 Restaurant, LLC T/A The Arlington (hereinafter Licensee) is the current holder of a Plenary Retail Consumption License with Broad Package Privilege with a posted occupancy of 160 persons; and

WHEREAS, the Licensee has filed a renewal application for the fiscal year July 1, 2024 to June 30, 2025; and

WHEREAS, the Licensee has complied with state law and local ordinances with respect to the issuance of a liquor license and has submitted the proper application and license fees; and

WHEREAS, it is the desire of governing body of the Borough of Ship Bottom to renew said license subject to and in accordance with the restrictions as set forth in Schedule (A) which is attached hereto and made part hereof.

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 Plenary Retail Consumption License with Broad Package Privilege be issued to 1302 Restaurant, LLC T/A The Arlington, License No. 1528-32-006-006, located at 1302 Long Beach Blvd., with a posted occupancy of 160 persons for the fiscal year July 1, 2024 to June 30, 2025.
2. That renewal of said license shall be subject to and in accordance with the restrictions as set forth in Schedule "A" which is attached hereto and made a part hereof.
3. That a certified copy to this Resolution shall be forwarded by the Municipal Clerk to 1302 Restaurant, LLC T/A The Arlington.

**SCHEDULE A
1302 RESTAURANT, LLC T/A THE ARLINGTON**

11. The premises licensed by the municipality shall, between the hours of 7:00 p.m. and closing, allow no windows or doors to remain open except that doors may be briefly opened to allow the immediate ingress and egress of patrons.
12. Any undue noise or amplified music or sounds emanating from the licensed premises to the annoyances of neighbors shall be grounds for the revocation of this license.
13. The licensee shall make every effort to prevent the congregation of patrons on the streets and public ways abutting and adjoining the licensed premises.

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14. Parking areas in conformance with regard to sidewalk right-of-way shall be observed and proper ingress and egress shall be complied with.
15. As a condition for the granting of this license, the licensee shall be solely responsible for providing adequate security in and about the licensed premises that will ensure the safety of all patrons, residents, citizens and visitors of the Borough of Ship Bottom,
and further guarantee their peaceful and quiet enjoyment while in the Borough of Ship Bottom. At times when entertainment is provided, one (1) hour prior to entertainment starting, until one half (1/2) hour after closing, a minimum of four (4) security guards shall be used for the purpose of policing and two (2) of them must be used for policing outside of the immediate area of the premises at all times.

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6. The licensee shall provide sufficient personnel for retrieving all litter and debris left by the patrons on the licensee's premises and in the immediate vicinity of the premises so that all litter and debris will be retrieved by 8:30 a.m. of each morning following the day of operation. Dumping of bottles outside the establishment, between the hours of 9:00 p.m. and 7:30 a.m. is prohibited.
7. Any band performing in any evening may perform for a portion of an hour and break for a portion of an hour between sets, but under no circumstances may the licensee require patrons to vacate the premises in between sets or at any other time during the course of the evening, except in closing.
8. The licensee shall be required to end all entertainment one-half hour before closing.
10. A violation of any of these restrictions shall be cause for suspension or revocation of the license upon hearing before the Mayor and Council following written charges given to the licensee.

Motion: Councilman Rossi
Second: Councilman Butkus
Dated: June 25, 2024
Roll Call: English, Butkus, Rossi, Hartman, Tallon, Valyo, all aye.

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on June 25, 2024.

Kristy DeBoer, RMC
Municipal Clerk

7. 2024-119 Renewal of Liquor License Port Hole Café

**RESOLUTION 2024-119
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE RENEWAL OF A PLENARY
RETAIL CONSUMPTION LICENSE WITH A BROAD PACKAGE
PRIVILEGE FOR PORT HOLE CAFÉ INC.**

WHEREAS, Port Hole Café Inc. (hereinafter Licensee) is the current holder of a Plenary Retail Consumption License with Broad Package Privilege with a posted occupancy of 100 persons; and

WHEREAS, The Licensee has filed a renewal application for the fiscal year July 1, 2024 to June 30, 2025; and

WHEREAS, the Licensee has complied with state law and local ordinances with respect to the issuance of a liquor license and has submitted the proper application and license fees; and

WHEREAS, it is the desire of the governing body of the Borough of Ship Bottom to renew said license subject to and in accordance with the restrictions as set forth in Schedule "A" which is attached hereto and made part hereof.

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

4. That a Plenary Retail Consumption License with Broad Package Privilege be issued to Port Hole Café Inc., License No. 1528-32-001-002, located at 1620 Long Beach Blvd., with a posted occupancy of 100 persons for the fiscal year July 1, 2024 to June 30, 2025.
5. That renewal of said license shall be subject to and in accordance with the restrictions as set forth in Schedule "A" which is attached hereto and made a part hereof.

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6. That a certified copy of this Resolution shall be forwarded by the Municipal Clerk to Port Hole Café Inc.

**SCHEDULE A
PORT HOLE CAFÉ INC.**

1. The premises licensed by the municipality shall, between the hours of 7:00 p.m. and closing, allow no windows or doors to remain open except that doors may be briefly opened to allow the immediate ingress and egress of patrons.
2. Any undue noise or amplified music or sounds emanating from the licensed premises to the annoyances of neighbors shall be grounds for the revocation of this license.
3. The licensee shall make every effort to prevent the congregation of patrons on the streets and public ways abutting and adjoining the licensed premises.
4. Parking areas in conformance with regard to sidewalk right-of-way shall be observed and proper ingress and egress shall be complied with.
5. As a condition for the granting of this license, the licensee shall be solely responsible for providing adequate security in and about the licensed premises that will ensure the safety of all patrons, residents, citizens and visitors of the Borough of Ship Bottom, and further guarantee their peaceful and quiet enjoyment while in the Borough of Ship Bottom. At times when there is entertainment is provided, one (1) hour prior to entertainment starting, until one half (1/2) hour after closing, a minimum of four (4) security guards shall be used for the purpose of policing and two (2) of them must be used for policing outside of the immediate area of the premises at all times.
6. The licensee shall provide sufficient personnel for retrieving all litter and debris left by the patrons on the licensee's premises and in the immediate vicinity of the premises so that all litter and debris will be retrieved by 8:30 a.m. of each morning following the

RESOLUTION 2024-119

- day of operation. Dumping of bottles outside the establishment, between the hours of 9:00 p.m. and 7:30 a.m. is prohibited.
7. Any band performing in any evening may perform for a portion of an hour and break for a portion of an hour between sets, but under no circumstances may the licensee require patrons to vacate the premises in between sets or at any other time during the course of the evening, except in closing.
8. The licensee shall be required to end all entertainment one-half hour before closing.
10. A violation of any of these restrictions shall be cause for suspension or revocation of the license upon hearing before the Mayor and Council following written charges given the licensee.

Motion: Councilman Rossi
Second: Councilman Butkus
Dated: June 25, 2024
Roll Call: English, Butkus, Rossi, Hartman, Tallon, Valyo, all aye.

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on June 25, 2024.

Kristy DeBoer, RMC
Municipal Clerk

8. 2024-120 Renewal of Liquor License The Gateway Inn
**RESOLUTION 2024-120
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE RENEWAL OF A PLENARY RETAIL
CONSUMPTION LICENSE FOR GATEWAY INN INC.**

WHEREAS, Gateway Inn Inc. (hereinafter Licensee) is the current holder of a Plenary Retail Consumption License with a posted occupancy of 300 persons; and

WHEREAS, the Licensee has filed a renewal application for the fiscal year July 1, 2024 to June 30, 2025; and

WHEREAS, the Licensee has complied with state law and local ordinances with respect to the issuance of a liquor license and has submitted the proper application and license fees; and

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WHEREAS, it is the desire of governing body of the Borough of Ship Bottom to renew said license subject to and in accordance with the restrictions as set forth in Schedule (A) which is attached hereto and made part hereof.

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

7. That a Plenary Retail Consumption License be issued to Gateway Inn Inc., License No. 1528-33-002-004, located at 227 W. 8th St., with a posted occupancy of 300 persons for the fiscal year July 1, 2024 to June 30, 2025.
8. That renewal of said license shall be subject to and in accordance with the restrictions as set forth in Schedule "A" which is attached hereto and made a part hereof.
9. That a certified copy of this Resolution shall be forwarded by the Municipal Clerk to Gateway Inn Inc.

**SCHEDULE A
GATEWAY INN, INC.**

16. The premises licensed by the municipality shall, between the hours of 7:00 p.m. and closing, allow no windows or doors to remain open except that doors may be briefly opened to allow the immediate ingress and egress of patrons.
17. Any undue noise or amplified music or sounds emanating from the licensed premises to the annoyances of neighbors shall be grounds for the revocation of this license.
18. The licensee shall make every effort to prevent the congregation of patrons on the streets and public ways abutting and adjoining the licensed premises.
19. Parking areas in conformance with regard to sidewalk right-of-way shall be observed and proper ingress and egress shall be complied with.
20. As a condition for the granting of this license, the licensee shall be solely responsible for providing adequate security in and about the licensed premises that will ensure the safety of all patrons, residents, citizens and visitors of the Borough of Ship Bottom, and further guarantee their peaceful and quiet enjoyment while in the Borough of Ship Bottom. At times when there is entertainment provided, one (1) hour prior to entertainment starting, until one half (1/2) hour after closing, a minimum of four (4) security guards shall be used for the purpose of policing and two (2) of them must be used for policing outside of the immediate area of the premises at all times.

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21. The licensee shall provide sufficient personnel for retrieving all litter and debris left by the patrons on the licensee's premises and in the immediate vicinity of the premises so that all litter and debris will be retrieved by 8:30 a.m. of each morning following the

day of operation. Dumping of bottles outside the establishment, between the hours of 9:00 p.m. and 7:30 a.m. is prohibited.
22. Any band performing in any evening may perform for a portion of an hour and break for a portion of an hour between sets, but under no circumstances may the licensee require patrons to vacate the premises in between sets or at any other time during the course of the evening, except in closing.
23. The licensee shall be required to end all entertainment one-half hour before closing.
24. A violation of any of these restrictions shall be cause for suspension or revocation of the license upon hearing before the Mayor and Council following written charges given the licensee.

Motion: Councilman Rossi
Second: Councilman Butkus
Dated: June 25, 2024
Roll Call: English, Butkus, Rossi, Hartman, Tallon, Valyo, all aye.

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on June 25, 2024.

Kristy DeBoer, RMC

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Municipal Clerk

9. 2024-121 Renewal of Liquor License The Baldwin Grille, LLC T/A Hotel LBI
RESOLUTION 2024-121

**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE ISSUANCE OF A HOTEL EXCEPTION LICENSE
TO THE BALDWIN RESIDENCE, LLC
T/A HOTEL LBI**

WHEREAS, The Baldwin Residence, LLC, T/A Hotel LBI, (hereinafter Licensee) was awarded a new Hotel Exception License by Resolution 2019-63; and

WHEREAS, The Licensee has filed a renewal application for the fiscal year July 1, 2024 to June 30, 2025; and

WHEREAS, the Licensee has complied with the state law and local ordinances with respect to the issuance of a liquor license and has submitted the proper application and license fees; and

WHEREAS, it is the desire of the governing body of the Borough of Ship Bottom to renew said license subject to and in accordance with the restrictions as set forth in Schedule "A" which is attached hereto and made part hereof.

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

10. That a Hotel Exception License be issued to The Baldwin Residence, LLC, T/A Hotel LBI, License No. 1528-36-008-001, located at 350 W. 8th Street., for the fiscal year July 1, 2024 to June 30, 2025.
11. That renewal of said license shall be subject to and in accordance with the restrictions as set forth in Schedule "A" which is attached hereto and made a part hereof.
12. That a certified copy of this Resolution shall be forwarded by the Municipal Clerk to The Baldwin Residence, LLC.

**SCHEDULE "A"
THE BALDWIN RESIDENCE, LLC**

3. There shall not be any alcohol on the roof deck past midnight Sunday through Thursday.
4. There shall not be any amplified music outside of the facility.
5. Any undue noise or amplified music or sounds emanating from the licensed premises to the annoyances of neighbors shall be grounds for the revocation of this license.
6. Dumping of bottles outside the establishment, between the hours of 9:00 p.m. and 7:30 a.m. is prohibited.
7. A violation of any of these restrictions shall be cause for suspension or revocation of the license upon hearing before the Mayor and Council following written charges given the licensee.
8. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to The Baldwin Residence, LLC, T/A Hotel LBI.

Motion: Councilman Rossi

Second: Councilman Butkus

Dated: June 25, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on June 25, 2024.

Kristy DeBoer, RMC

10. 2024-122 Renewal of Liquor License Joe Pop's Shore Bar
RESOLUTION 2024-122
**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,**

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**AUTHORIZING THE RENEWAL OF A PLENARY RETAIL
CONSUMPTION LICENSE WITH BROAD PACKAGE
PRIVILEGE FOR LBI DINER LLC,
T/A JOE POP'S SHORE BAR.**

WHEREAS, LBI Diner LLC, T/A Joe Pop's Shore Bar (hereinafter Licensee) is the current holder of a Plenary Retail Consumption License with Broad Package Privilege with a posted occupancy of 455 persons; and

WHEREAS, the Licensee has filed a renewal application for the fiscal year July 1, 2024 to June 30, 2025; and

WHEREAS, the Licensee has complied with state law and local ordinances with respect to the issuance of a liquor license and has submitted the proper application and license fees; and

WHEREAS, it is the desire of the governing body of the Borough of Ship Bottom to renew said license subject to and in accordance with the restrictions as set forth in Schedule (A) which is attached hereto and made part hereof.

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 Plenary Retail Consumption License with Broad Package Privilege be issued to LBI Diner LLC, T/A Joe Pop's Shore Bar License No. 1528-32-004-013, located at 2002 Long Beach Blvd., with a posted occupancy of 455 persons for the fiscal year July 1, 2024 to June 30, 2025.
2. That renewal of said license shall be subject to and in accordance with the restrictions as set forth in Schedule "A" which is attached hereto and made a part hereof.
3. That a certified copy of this Resolution shall be forwarded by the Municipal Clerk to LBI Diner LLC, T/A Joe Pop's Shore Bar.

**SCHEDULE A
LBI DINER LLC, T/A JOE POP'S SHORE BAR**

25. The premises licensed by the municipality shall, between the hours of 7:00 p.m. and closing, allow no windows or doors to remain open except that doors may be briefly opened to allow the immediate ingress and egress of patrons.
26. Any undue noise or amplified music or sounds emanating from the licensed premises to the annoyances of neighbors shall be grounds for the revocation of this license.
27. The licensee shall make every effort to prevent the congregation of patrons on the streets and public ways abutting and adjoining the licensed premises.
28. Parking areas in conformance with regard to sidewalk right-of-way shall be observed and proper ingress and egress shall be complied with.
29. As a condition for the granting of this license, the licensee shall be solely responsible for providing adequate security in and about the licensed premises that will ensure the safety of all patrons, residents, citizens and visitors of the Borough of Ship Bottom, and further guarantee their peaceful and quiet enjoyment while in the Borough of Ship Bottom. At times when there is entertainment is provided, one (1) hour prior to entertainment starting, until one half (1/2) hour after closing, a minimum of four (4) security guards shall be used for the purpose of policing and two (2) of them must be used for policing outside of the immediate area of the premises at all times.

RESOLUTION 2024-122

30. The licensee shall provide sufficient personnel for retrieving all litter and debris left by the patrons on the licensee's premises and in the immediate vicinity of the premises so that all litter and debris will be retrieved by 8:30 a.m. of each morning following the day of operation. Dumping of bottles outside the establishment, between the hours of 9:00 p.m. and 7:30 a.m. is prohibited.
31. Any band performing in any evening may perform for a portion of an hour and break for a portion of an hour between sets, but under no circumstances may the licensee require patrons to vacate the premises in between sets or at any other time during the course of the evening, except in closing.
32. The licensee shall be required to end all entertainment one-half hour before closing.
33. Further, the owner of the licensee shall require all bands leaving the premises to load and unload at the south door adjacent to the stage area between the hours of 10:00 p.m. and 8:00 a.m. on the following

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morning.

34. A violation of any of these restrictions shall be cause for suspension of revocation of the license upon hearing before the Mayor and Council following written charges given the licensee.

Motion: Councilman Rossi
Second: Councilman Butkus
Dated: June 25, 2024
Roll Call: English, Butkus, Rossi, Hartman, Tallon, Valyo, all aye.

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on June 25, 2024.

Kristy DeBoer, RMC
Municipal Clerk

11. 2024-123 Authorizing Grant Application 2024 Road Reconstruction
RESOLUTION NO. 2024-123
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR
THE SFY 2025 ROAD RECONSTRUCTION PROJECT –W. 7TH STREET FROM
BARNEGAT AVENUE TO SHORE AVENUE) IN THE AMOUNT OF \$543,966.00

NOW, THEREFORE, BE IT RESOLVED that the Borough Council, of the Borough of Ship Bottom, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor, Municipal Clerk and Borough Engineer are hereby authorized to submit an electronic grant application identified as MA-2025-Ship Bottom-00350 to the New Jersey Department of Transportation on behalf of Borough of Ship Bottom.

BE IT FURTHER RESOLVED that Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Ship Bottom and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Motion: Councilman Rossi
Second: Councilman Butkus
Dated: June 25, 2024
Roll Call: English, Butkus, Rossi, Hartman, Tallon, Valyo, 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 regular meeting held on the 25th day of June, 2024, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 25th day of June, 2024.

Kristy DeBoer, RMC

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by resolution above.

ATTEST AND AFFIX SEAL

(Clerk)

(Presiding Officer)

12. 2024-124 Authorizing Membership to SBVFC
RESOLUTION 2024-124
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
THEODORE H. GOLDFARB

WHEREAS, Theodore H. Goldfarb applied to become members within the Ship Bottom Volunteer Fire Company No 1; and

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NOW, THEREFORE, BE IT RESOLVED, that the application of Theodore H Goldfarb has 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 membership of Theodore H Goldfarb, in the Ship Bottom Volunteer Fire Company No. 1.

Motion: Councilman Butkus
Second: Councilman Valyo
Dated: June 25, 2024
Roll Call: English, Butkus, Rossi, Hartman, Tallon, Valyo, all aye.

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 25th day of June, 2024, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 25th day of June, 2024.

Kristy De Boer, RMC
Municipal Clerk

13. 2024-125 Supporting “You Earned It, You Keep It Act”

**RESOLUTION 2024-125
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPORTING H.R. 7084
“YOU EARNED IT, YOU KEEP IT ACT”**

WHEREAS, Ocean County is home to more than 200,000 senior citizens; and
WHEREAS, man of our seniors are living on fixed incomes and depend on their monthly Social Security benefits to pay for food, utilities, fuel and medical services; and
WHEREAS, Social Security payments have not kept pace with the rising cost of these necessities; and
WHEREAS, a bill pending in the United States House of Representatives, H.R. 7084, would exempt future Social Security benefits from federal income tax and allow our older adults to keep more of the money they have earned; and
WHEREAS, the legislation, dubbed the “You Earned It, You Keep It Act”, would be paid for by raising the base cap on the Social payroll tax for higher-earning Americans; and
WHEREAS, raising the base cap in 2025 to \$250,000 would help with the future solvency of the program through 2054, which is 20 years longer than present projections; and
WHEREAS, according to a non-partisan analysis, the bill would also reduce the federal debt by \$8.9 trillion over 75 years; and
WHEREAS, New Jersey residents are already exempt from paying state income tax on their Social Security benefits.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Ship Bottom, County of Ocean, State of New Jersey, strongly supports H.R. 7084, the “You Earned It, You Keep It Act”, as introduced by Rep. Angie Graig of Minnesota.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to United States Senators Robert Menendez and Cork Booker, United States Representatives Chris Smith and Jeff Van Drew, Governor Phil Murphy, the 9th, 10th, 12th and 30th Legislative Offices, each New Jersey County, the Ocean County Mayors Association, and all Ocean County Municipal Mayors.

Motion: Councilman Rossi
Second: Councilman Hartman
Dated: June 25, 2024
Roll Call: All in favor

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 June 25, 2024.

Kristy DeBoer, RMC
Municipal Clerk

14. 2024-126 Change Order No. 37 JH Williams – New Municipal Building

**RESOLUTION 2024-126
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM
COUNTY OF OCEAN, STATE OF NEW JERSEY
APPROVING MODIFICATION NO. 37
DATED JUNE 20, 2024**

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NEW MUNICIPAL BUILDING**

WHEREAS, the Municipal Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey (the "Borough") has previously awarded a contract for the new Municipal Building to JH Williams Enterprises, Inc. at 513 Pleasant Valley Ave. Moorestown, NJ 08057; and

WHEREAS, the Borough has received Modifications Number thirty-seven (37), **resulting in an increase in the original contract amount by \$46,139.55**, dated June 20, 2024 for the project **and for a new total contract price of \$10,658,123.74**; and

WHEREAS, the Borough finds that the recommendation is fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED that on this 25th day of June, 2024 by the Municipal Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey, as follows:

1. The Borough accepts and approves Modification – Number thirty-seven (37) resulting in an **increase** in the contract price of **\$46,139.55**
2. The Borough authorizes and directs the Mayor and Borough Clerk to execute any and all necessary documents in order to implement the intent of this Resolution.
3. A certified copy of this Resolution shall be forwarded by the Borough Clerk to JH Williams Enterprises, Inc.

Motion: Councilman Hartman

Second: Councilman Valyo

Dated: June 25, 2024

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

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Mayor and Council at a regular meeting held on June 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 25th day of June.

Kristy DeBoer, RMC
Municipal Clerk

15. 2024-127 Hiring Seasonal Employees- Beach Operations
**RESOLUTION 2024-127
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:

Lifeguards: The following are hired at the weekly rate of pay listed:
\$660.00 Isabella Accardi, Grace DiToro, Jack Delaney, John Acosta, Eve Davis, Gaetano DeVita,
Audrey Hersey, Kate Severe, Leo Staub, Jack Healy, Samantha Reck

\$820.00 Jordan Aughenbaugh

\$840.00 Bobby Donnelly, Matt Sault

Badge Checkers: The following are hired at the hourly rate of pay listed:
\$15.13 Brianna Cataffo, Masen Catney, Joshua Doud, Marissa Flores, Tyler Giouzelis, Max Joyce, Jonathan Mandell, Emma Muzzilo, Gianna Nese, Alyssa Scott, Benjamin Shinault, Aidan Slade, Ryan Slade, Stephen White, Leah Wimbush, Evan D'Amico, Hayley Lever, Julia Jakimas, Blake Nikodem, Anthony Etoll, Sahia Garcia, Evan Matta

\$15.50 Hannah Clark, Ryan D'Amico, Sydney Freeze, Xzavier Garcia, Davis Stefanski, Brielle Tad, Samantha Zaun, Evan Signorin, Sawyer Lilley

\$16.00 Emily Krauser, Julianna Laracca, Kiley Park, Reiss Stefanski, Quinn Steinberg, Aiden Guglielmotti

\$16.50 Lindsay Clark

\$17.00 Gabriella Nese

Lifeguard HQ Office Personnel: The following are hired at an hourly rate of pay listed:

\$15.13 Jodi Ventresca

\$16.50 Giana Germano

BE IT FURTHER RESOLVED, that this Resolution be retroactive to June 1, 2024.

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Motion: Councilman Hartman
Second: Councilman Valyo
Dated: June 25, 2024
Roll Call: English, Butkus, Rossi, Hartman, Tallon, Valyo, all aye.

CERTIFICATION

I, Kristy DeBoer, Municipal Clerk of the Borough of Ship Bottom, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on June 25, 2024.

Kristy DeBoer, RMC
Municipal Clerk

16. 2024-128 Designating Area in Need of Rehabilitation

RESOLUTION 2024-128

RESOLUTION OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, DESIGNATING BLOCK 48, LOT 1, IN THE BOROUGH OF SHIP BOTTOM AS AN AREA IN NEED OF REHABILITATION

WHEREAS, pursuant to the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), the Borough of Ship Bottom (the "Borough") is empowered to serve as a redevelopment entity for the purposes of advancing the redevelopment of underutilized properties within its boundaries; and

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

WHEREAS, the Borough has been made aware that the Property will cease to be used as a school at the close of the 2024/2025 school year, and has further considered the status of the existing structures located on the Property, the underutilization of such Property as a school, and the further need for utility repair and substantial maintenance based on aging infrastructure at the Property and in the surrounding roadways; and

WHEREAS, the Borough wishes to limit the further deterioration and promote the overall development of the community by considering whether to designate the Property as an area in need of rehabilitation, pursuant to N.J.S.A. 40A:12-A-12; and

WHEREAS, the Borough finds that the present underutilization and future disconnection of the use of the Property as a school is of detriment to the Borough, and that different utilization of the Property would ultimately promote the interests of the Borough; and

WHEREAS, the Borough has referred this resolution in draft to the Land Use Board for its consideration and comment, pursuant to N.J.S.A. 40A:12A-14(a); and

WHEREAS, based on the comments, if any, received from the Land Use Board, as well as any comments from the public, the Mayor and Council have determined that it is in the best interest of the Borough on the while, pursuant to the LRHL.

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

1. The Borough of Ship Bottom hereby designates Block 48, Lot 1 as an area in need of rehabilitation, based on the findings as set forth herein, and in the accompanying memorandum prepared by the Land Use Board's consulting planner, Heyer, Gruel and Associates, dated May 21, 2024.
2. A copy of this resolution shall be transmitted by the Clerk to the Commissioner of the Department of Community Affairs pursuant to N.J.S.A. 40AL12A-6(b)(5)(c).

Motion: Councilman Hartman
Second: Councilman Tallon
Dated: June 25, 2024
Roll Call: English, Butkus, Rossi, Hartman, Tallon, Valyo, all aye.

CERTIFICATION

I, Kristy DeBoer, RMC, Municipal Clerk for the Borough of Ship Bottom do hereby certify that the foregoing Resolution 2024-127 was duly adopted by the Mayor and Council at the meeting held on June 25th, 2024, at 6:30 P.M.

Kristy DeBoer, RMC
Municipal Clerk

William Huelsenbeck
Mayor

ORDINANCES FOR INTRODUCTION

The Mayor asked for a motion to approve the introduction of Ordinance 2024-16C. Councilman Rossi made a motion, seconded by Councilman Tallon. A roll call vote was heard with six in the affirmative, none opposed. Motion granted.

1. 2024-16C Drone Ordinance

ORDINANCE 2024-16C

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING CHAPTER 8.76, WHICH SHALL REGULATE DRONE TECHNOLOGY AND UNMANNED AIRCRAFT

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STATEMENT OF PURPOSE

The purpose of this Ordinance is to adopt Chapter 8.68 to regulate drone technology and unmanned aircraft to protect the public health, welfare, and safety.

SECTION I

§8.76 is adopted as follows.

§8.76. Drones and Unmanned Aircraft

§8.76.010 Definitions.

“Data collection” means the acquisition of information by use of one or more sensing devices.

“Drone” means an unmanned aircraft that can fly under the control of a remote pilot or by a geographic positions system (GPS) guided autopilot mechanism, and that is equipped with any sensing device or capable of any data collection.

“Sensing device” means a device capable of acquiring data from its surroundings. Sensing devices include, but are not limited to, cameras, microphones, thermal detectors, chemical detectors, radiation gauges, and wireless receivers in any frequency (including cellular, WiFi, or other data frequencies).

“Unmanned aircraft” means an unmanned vehicle or device of any size that is capable of remote-control flight by any means and that does not possess any sensing device and is not capable of any data collection.

§8.76.020 Regulations.

- A. Unmanned aircraft are prohibited from taking off or landing on any beach dune area or any public right-of-way or road, except for landings in the event of an emergency.
- B. Unmanned aircraft are prohibited from taking off or landing on any beach between the hours of 10:00 a.m. and 6:00 p.m., except for landings in the event of an emergency or taking and off and landing for use above the ocean for fishing purposes.
- C. Unmanned aircraft are prohibited from flying in any airspace below 400 feet in the following areas.
 - 1. The airspace over any beach while lifeguards are on duty, except as set forth in B above.
 - 2. The airspace over any government or public buildings, property, or parks.
- D. No unmanned aircraft shall be operated in a reckless, dangerous, harassing, or threatening manner, or for the purpose of data collection at locations where persons have an expectation of privacy, or in any manner that poses a threat to public utilities or the public health, welfare, and safety.
- E. No unmanned aircraft shall fly within 100 feet of any person.

§8.76.030 Exceptions.

- A. This Chapter shall not prohibit any governmental agencies or emergency service organizations from the use of unmanned aircraft for any lawful and authorized purpose pursuant to the Constitution and federal and state regulations.
- B. This Chapter shall not prohibit the use of unmanned aircraft by not-for-profit colleges and universities or scientific institutions for educational, scientific, environmental, or resource management purposes.
- C. This Chapter shall not prohibit individuals from the use of unmanned aircraft for business purposes in the airspace within the boundary lines of private property with the property owner's consent, except that data collection shall be limited to of and relating to the properties where the owners provide consent thereto. The permitted use of unmanned aircraft pursuant to the foregoing shall include the airspace of the public streets and property immediately adjacent to the private property, provided that the use of the roads and public property is reasonably necessary for the business purpose, is performed within a reasonable amount of time, and it is not operated in the airspace within 30 feet of persons, except for the persons involved in the permitted activity.

§8.76.040 Violations and penalties.

A violation of this Chapter shall be punishable as provided in Title 1, General Provisions, 1.08 General Penalty. A conviction under this Chapter shall not merge with any other conviction of harassment, invasion of privacy pursuant, obstructing administration of law or other governmental function, introducing contraband, contempt of a domestic violence order which constitutes a crime or disorderly persons offense, or any other criminal or disorderly person offense even if the other conviction involves the use of an unmanned aircraft.

SECTION II

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

SECTION III

If any word, phrase, clause, section, or provisions of this Chapter 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, June 25, 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 July 23, 2024, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

Kristy DeBoer, RMC
Municipal Clerk

2. 2024-17 Salary Ordinance

The Mayor asked for a motion to approve the introduction of Ordinance 2024-17. Councilman Hartman made a motion, seconded by Councilman Tallon. A roll call vote was heard with six in the affirmative, none opposed. Motion granted.

**ORDINANCE 2024-17
AN ORDINANCE OF THE BOROUGH OF SHIP BOTTOM
COUNTY OF OCEAN, STATE OF NEW JERSEY,
PROVIDING FOR THE METHOD OF FIXING AND DETERMINING ANNUALLY, SALARIES, AND
RATES OF COMPENSATION TO BE PAID TO ALL PERSONS EMPLOYED BY THE BOROUGH OF
SHIP BOTTOM, AND PROVIDING FOR THE METHOD OF PAYMENT THEREOF**

BE IT ORDAINED, by the Mayor and Council of the Borough of Ship Bottom, in the County of Ocean, State of New Jersey:

SECTION I

All persons employed by the Borough of Ship Bottom shall be paid compensation for that employment as may from time to time be fixed by Resolution of the Governing Body of the Borough of Ship Bottom, provided that such compensation shall be within the scale of limits set forth below in Section II.

SECTION II

The various employees and personnel of the Borough of Ship Bottom shall be paid salary scales and hourly rates within the framework established below:

| <u>CLASSIFICATION</u> | <u>NOT LESS THAN</u> | <u>NOR MORE THAN</u> |
|-------------------------------------|----------------------|----------------------|
| Administrator | \$2,000 per annum | \$95,000 per annum |
| Deputy Administrator | \$500 per annum | \$20,000 per annum |
| Borough Clerk | \$10,000 per annum | \$140,000 per annum |
| Deputy Borough Clerk | \$5,000 per annum | \$65,000 per annum |
| Chief Financial Officer | \$5,000 per annum | \$190,000 per annum |
| Assistant to Finance Officer | \$5,000 per annum | \$65,000 per annum |
| Payroll Clerk | \$1,500 per annum | \$16,000 per annum |
| Administrative Office Assistant | | \$35.00 per hour |
| Receptionist | \$3,000 per annum | \$35,000 per annum |
| Tax Collector | \$3,500 per annum | \$85,000 per annum |
| Deputy Tax Collector | \$500 per annum | \$58,000 per annum |
| Tax Assessor | \$4,000 per annum | \$42,000 per annum |
| Tax Assessor Clerk | \$4,000 per annum | \$30,000 per annum |
| Clerk I | \$5,000 per annum | \$30,00 per annum |
| Construction Official | \$12,000 per annum | \$55,000 per annum |
| Construction Office Assistant/Clerk | \$500 per annum | \$75,000 per annum |
| Plumbing Sub-Code Official | \$3,000 per annum | \$40,000 per annum |
| Superintendent, Water/Sewer | \$5,000 per annum | \$60,000 per annum |
| Foreman, Water/Sewer | | \$30.00 per hour |
| Water/Sewer Hourly | | \$30.00 per hour |
| Water/Sewer Clerk | 10,000 per annum | \$50,000 per annum |
| Superintendent, Public Works | \$5,000 per annum | \$125,000 per annum |
| Foreman I, Public Works | | \$50.00 per hour |
| Foreman II, Public Works | | \$50.00 per hour |

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| | | |
|---|--------------------|---------------------|
| Public Works, Hourly | | \$35.00 per hour |
| Mechanic | | \$40.00 per hour |
| Emergency Management, Coordinator | \$100 per annum | \$5,000 per annum |
| Emergency Management, Deputy Coordinator | \$100 per annum | \$ 3,000 per annum |
| Fire Marshall | \$300 per annum | \$10,000 per annum |
| Municipal Court Judge | \$5,000 per annum | \$45,000 per annum |
| Court Administrator | \$2,000 per annum | \$75,000 per annum |
| Deputy Court Administrator | | \$55,000 per annum |
| License Inspector | | \$10,000 per annum |
| Deputy License Inspector | | \$10,000 per annum |
| Registrar | | \$10,000 per annum |
| Deputy Registrar | | \$10,000 per annum |
| Recycling Coordinator | \$500 per annum | \$15,000 per annum |
| General Maintenance/Laborer | | \$35.00 per hour |
| Utility General Maintenance | \$15.00 per hour | \$50,000 per annum |
| Secretary, Land Use Review Board | \$200 per meeting | |
| Director of Planning and Zoning | \$200 per annum | \$30,000 per annum |
| Zoning Officer | \$500 per annum | \$40,000 per annum |
| Deputy Zoning Officer | \$500 per annum | \$40,000 per annum |
| Mayor | | \$8,000 per annum |
| Council | | \$6,000 per annum |
| Events Coordinator | \$2,000 per annum | \$12,000 per annum |
| Beach Operations, Supervisor | \$6,500 per annum | \$35,000 per annum |
| Beach Badge Supervisor | | \$30.00 per hour |
| Beach Operations Secretary | | \$25.00 per hour |
| Beach Badge Checkers | | \$20.00 per hour |
| Captain of Lifeguards | \$350 per week | \$2,000 per week |
| Lieutenant of Lifeguards | \$350 per week | \$1,500 per week |
| Lifeguards | \$350 per week | \$1,000 per week |
| Harbor Master | | \$25.00 per hour |
| Director of Police | \$20,000 per annum | \$140,000 per annum |
| Chief of Police | \$20,000 per annum | \$165,000 per annum |
| Captain of Police | \$20,000 per annum | \$130,000 per annum |
| Sergeant of Police | \$20,000 per annum | \$120,000 per annum |
| Senior Patrolman | \$73,000 per annum | \$115,000 per annum |
| Police Clerk/Secretary | \$14,000 per annum | \$45,000 per annum |
| Patrolman 1 st Class | \$65,000 per annum | \$125,000 per annum |
| Patrolman 2 nd Class | \$55,000 per annum | \$110,000 per annum |
| Patrolman 3 rd Class | \$50,000 per annum | \$100,000 per annum |
| Patrolman 4 th Class | \$45,000 per annum | \$95,000 per annum |
| Patrolman 5 th Class | \$41,600 per annum | \$90,000 per annum |
| Patrolman 6 th Class | \$41,600 per annum | \$75,000 per annum |
| Patrolman 7 th Class | \$41,600 per annum | \$70,000 per annum |
| Patrolman 8 th Class | \$41,600 per annum | \$67,000 per annum |
| Patrolman 9 th Class | \$41,600 per annum | \$62,000 per annum |
| Patrolman 10 th Class | \$41,600 per annum | \$57,000 per annum |
| Patrolman 11 th Class | \$41,600 per annum | \$43,000 per annum |
| SLEO Class II | | \$30.00 per hour |
| SLEO Class I | | \$30.00 per hour |

SECTION III

This Ordinance shall provide the sole means of establishing the range of compensation for all regular Borough employees. Nothing contained herein, however, shall prevent the Borough of Ship Bottom from contracting for special professional services which shall be paid for by voucher.

SECTION IV

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

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, June 25, 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 July 23, 2024, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

Kristy DeBoer, RMC
Municipal Clerk

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2024-18 Adopting Redevelopment Plan "LBI Grade School"

The Mayor asked for a motion to approve the introduction of Ordinance 2024-18. Councilman Rossi made a motion, seconded by Councilman Hartman. A roll call vote was heard with six in the affirmative, none opposed. Motion granted.

**ORDINANCE 2024-18
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW
JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 48, LOT 1 OF THE BOROUGH OF
SHIP BOTTOM ENTITLED "LBI GRADE SCHOOL REDEVELOPMENT PLAN"**

WHEREAS, the Mayor and Council of the Borough of Ship Bottom (the "Governing Body") have adopted a resolution designating certain property known as Block 48, Lot 1, located at 201-267 W. 20th Street (the "Property"), as an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law ("LRHL"); and

WHEREAS, the Governing Body has considered a number of possible future proposed development strategies for the redevelopment of the Property, and directed Heyer, Gruel and Associates to prepare a plan which paralleled in part the existing requirements of the R-2 zone, as well as requiring a portion of the Property for public open space; and

WHEREAS, the Governing Body has reviewed the proposed plan, annexed hereto as b and, recognizing that the Property will no longer be used as a public school after the close of the 2024/2025 school year, wishes to propose a plan that advances the goals of the LRHL and promotes the overall efficient and appropriate development of the Property and the Borough of Ship Bottom; and

WHEREAS, the Governing Body has referred this proposed plan to the Planning Board of the Borough of Ship Bottom for its review, consistent with N.J.S.A. 40A:12A-7, to determine whether the proposed plan effectuates or is consistent with the master plan, and to make any recommendations on the proposed plan; and

WHEREAS, the Governing Body has reviewed and considered the recommendations of the Planning Board regarding the proposed plan; and

WHEREAS, the Governing Body has determined that the redevelopment plan is consistent with the LRHL and Borough's designation of the Property as an area in need of rehabilitation, and meets the statutory requirements necessary to proceed.

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

SECTION 1.

The redevelopment plan, dated June 25, 2024, prepared by Heyer, Gruel & Associates, and annexed hereto as **Exhibit A**, is hereby adopted and applicable to the Property.

SECTION 2.

The redevelopment plan hereby supersedes the existing zoning for the Property, and the zoning map of the Borough of Ship Bottom is hereby directed to be updated to reflect the addition of this redevelopment plan as superseding applicable provisions of the zoning code for the development of the Property. For the avoidance of doubt, unless expressly otherwise set forth in this redevelopment plan, the existing definitions and standards established in the zoning code of the Borough of Ship Bottom shall continue to apply in full force and effect.

SECTION 2.

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

SECTION 3.

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, June 25, 2024, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

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

Kristy DeBoer, RMC
Municipal Clerk

9. **OLD BUSINESS**

1. 2024-13C Salt Storage Ordinance

The Mayor opened the public hearing on Ordinance 2024-13C with a motion and second by Councilmen Butkus and English and an all in favor vote.

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PUBLIC HEARING

With no one wishing to speak, the Mayor closed the floor for comment on a motion and second by Councilmen English and Rossi and an all in favor vote. With that the Mayor asked for a motion to approve Ordinance 2024-13C for final adoption. Councilman Rossi made a motion, seconded by Councilman Tallon. a roll call vote was heard with six in the affirmative, none opposed. Motion approved.

ORDINANCE 2024-13C

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING CHAPTER 8.74, WHICH PERTAINS TO SALT STORAGE

STATEMENT OF PURPOSE

The purpose of this ordinance is to adopt Chapter 8.74 to adopt the revised and required State regulations relating to privately-owned salt storage.

SECTION I

Chapter 8.74 is added as follows.

Chapter 8.74 Salt Storage

§8.74.010 Purpose.

The purpose of this Chapter is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This Chapter establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the Borough (privately-owned), including residences, to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§8.74.020 Definitions.

For the purpose of this Chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

DE-ICING MATERIALS

Any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

IMPERVIOUS SURFACE

A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

STORM DRAIN INLET

The point of entry into the storm sewer system.

PERMANENT STRUCTURE

A permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall). A fabric frame structure is a permanent structure if it meets the following specifications:

- (1) Concrete blocks, jersey barriers, or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
- (2) The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
- (3) The structure shall be erected on an impermeable slab;
- (4) The structure cannot be open sided; and
- (5) The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

RESIDENT

A person who resides on a residential property where de-icing material is stored.

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§8.74.030 De-icing Material Storage Requirements.

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
- (1) Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 - (2) Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches, and/or other stormwater conveyance channels;
 - (3) Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 - (4) Loose materials shall be covered as follows:
 - (a) The cover shall be waterproof, impermeable, and flexible;
 - (b) The cover shall extend to the base of the pile(s);
 - (c) The cover shall be free from holes or tears;
 - (d) The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - (e) Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (i) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 - (5) Containers must be sealed when not in use; and
 - (6) The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 to April 15.
- C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
- (1) Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

§8.74.040 Exemptions.

- A. Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.
- B. If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in §154-3. Piles of de-icing materials are not exempt, even if stored in a permanent structure.
- C. This Chapter does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

§8.74.050 Enforcement.

This Chapter shall be enforced by the Code Enforcement Officer during the course of ordinary enforcement duties.

§8.74.060 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall be subject to the penalties set forth in Title 1, General Provisions, 1.08 General Penalty.

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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, May 28, 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 June 25, 2024, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

Kristy DeBoer, RMC
Municipal Clerk

CERTIFICATION

I, KRISTY DeBOER, RMC, Municipal Clerk for the Borough of Ship Bottom do hereby certify that the foregoing Ordinance 2024-13C was duly adopted by the Mayor and Council at the meeting held on June 25, 2024, at 6:30 p.m.

Kristy DeBoer RMC
Municipal Clerk

William Huelsenbeck
Mayor

2. 2024-14C Tree Ordinance

The Mayor opened the public hearing on Ordinance 2024-14C with a motion and second by Councilmen Butkus and English and an all in favor vote.

PUBLIC HEARING

With no one wishing to speak, the Mayor closed the floor for comment on a motion and second by Councilmen English and Rossi and an all in favor vote. With that the Mayor asked for a motion to approve Ordinance 2024-14C for final adoption. Councilman Rossi made a motion, seconded by Councilman English. a roll call vote was heard with six in the affirmative, none opposed. Motion approved.

ORDINANCE 2024-14C

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING CHAPTER 8.70, WHICH PERTAINS TO TREE REMOVAL AND REPLACEMENT

STATEMENT OF PURPOSE

The purpose of this ordinance is to adopt Chapter 8.70 to adopt the required State regulations relating to tree removal and replacement.

SECTION I

Chapter 8.70 is adopted as follows.

Chapter 8.70 Tree Removal and Replacement

§8.70.010 Purpose.

This Chapter establishes the requirements for tree removal and replacement to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

§8.70.020 Definitions.

For the purpose of this Chapter, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

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APPLICANT

Any person, as defined below, who applies for approval to remove trees regulated under this ordinance.

CRITICAL ROOT RADIUS (CRR)

The zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.

DIAMETER AT BREAST HEIGHT (DBH)

The diameter of the trunk of a mature tree generally measured at a point 4 ½ feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.

HAZARD TREE

A tree or limbs thereof that meet 1 or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.

1. Has an infectious disease or insect infestation;
2. Is dead or dying;
3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

PERSON

Any individual, resident, corporation, utility, company, partnership, firm, or association.

PLANTING STRIP

The part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

RESIDENT

An individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

STREET TREE

A tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

TREE

A woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

TREE CALIPER

The diameter of the trunk of a young tree measured 6 inches from the soil line. For young trees whose caliper exceeds 4 inches, the measurement is taken 12 inches above the soil line.

TREE REMOVAL

To kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

§8.70.030 Regulations.

- A. Application Process.

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1. Any person planning to remove a street tree, as defined as Tree removal, with DBH of 2.5” or more or any non-street tree with DBH of 6” or more on their property shall submit a Tree Removal Application to the Zoning Officer. No tree shall be removed until municipal officials have reviewed and approved the removal.
 2. Applicants will be subject to an application fee as per the Table below.
- B. Tree Replacement Requirements.
1. Any person who removes one or more street tree(s) with a DBH of 2.5” or more, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.
 2. Any person who removes one or more tree(s), as defined as Tree removal, with a DBH of 6” or more per acre, unless otherwise detailed under §8.70.040, shall be subject to the requirements of the Tree Replacement Requirements Table.
 3. The species type and diversity of replacement trees shall be in accordance with Appendix A.
 4. Replacement tree(s) shall:
 - a. Be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree Replacement Criteria in the table below;
 - b. Be planted within 12 months of the date of removal of the original tree(s) or at an alternative date specified;
 - c. Be monitored by the applicant for a period of 2 years to ensure their survival and shall be replaced as needed within 12 months; and
 - d. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

Tree Replacement Requirements Table:

| Category | Tree Removed (DBH) | Tree Replacement Criteria (See Appendix A) | Application Fee |
|----------|---|--|-----------------|
| 1 | DBH of 2.5” (for street trees) or 6” (for non-street trees) to 12.99” | Replant 1 tree with a minimum tree caliper of 1.5” for each tree removed | \$40 |
| 2 | DBH of 13” to 22.99” | Replant 2 trees with minimum tree calipers of 1.5” for each tree removed | \$40 |
| 3 | DBH of 23” to 32.99” | Replant 3 trees with minimum tree calipers of 1.5” for each tree removed | \$40 |
| 4 | DBH of 33” or greater | Replant 4 trees with minimum tree calipers of 1.5” for each tree removed | \$40 |

- C. Replacement Alternatives.
1. If the Borough determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the Borough; and
 - b. Pay a fee of \$500 per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

§8.70.040 Exemptions.

All persons shall comply with the tree replacement standard outlined in this Chapter, except in the cases detailed below. Proper justification shall be provided, in writing, to the Borough by all persons claiming an exemption. Proper justification shall include statements from a New Jersey licensed tree expert pursuant to N.J.S.A. 45:15C-11.

- A. Residents who remove less than 4 trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a 5-year period. The number of trees removed is a rolling count across a 5-year period. For example, if 3 trees from category 1 are removed in July 2023, the ‘count’ resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers.
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the Borough.
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.

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- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan.
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife.
- G. Hazard trees may be removed with no fee or replacement requirement.

§8.70.050 Enforcement.

This Chapter shall be enforced by the Police Department, Zoning Officer, and/or Code Enforcement Officer during the course of ordinary enforcement duties.

§8.70.060 Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this Chapter shall be subject to the general penalty provisions of Title 1, General Provisions, 1.08 General Penalty, plus the payment of \$500 per tree into the fund dedicated to tree planting and continued maintenance of the trees. Each tree shall constitute a separate violation.

§16.92.080 Penalties.

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure, or land in violation of this Chapter shall be subject to the penalties set forth in

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, May 28, 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 June 25, 2024, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

Kristy DeBoer, RMC
Municipal Clerk

CERTIFICATION

I, KRISTY DeBOER, RMC, Municipal Clerk for the Borough of Ship Bottom do hereby certify that the foregoing Ordinance 2024-14C was duly adopted by the Mayor and Council at the meeting held on June, 25, 2024, at 6:30 p.m.

Kristy DeBoer, RMC
Municipal Clerk

William Huelsenbeck
Mayor

Appendix A

Approved list of Replacement tree Species and Planting Standards for
SHIP BOTTOM, OCEAN COUNTY

| Tree Species | Planting Season |
|--------------|-----------------|
| Cedar | May/October |

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| | |
|---------------|---------------------------|
| Pine | May/October |
| Crepe Myrtle | Late spring or early fall |
| Red Maple | Late spring or early fall |
| Swamp Maple | Late spring or early fall |
| Russian Olive | Late spring or early fall |
| | |

Planting Procedures

1. Ensure trunk flare is partially visible after the tree is planted.
2. Dig a shallow, broad planting hole, 2-3 times wider than the root ball, but only as deep as the root ball.
3. Uncover root ball and remove all wire or rings.
4. Lift tree into hole by root ball, not the trunk.
5. Ensure the tree is straight.
6. Gently fill in the hole, firmly pack soil around the base to stabilize it and eliminate air-pockets. Do not fertilize at planting.
7. Staking may be required when planting bare root stock or at windy sites, however is not normally recommended. Remove stakes after one year of growth.
8. Place a 2-3 inch layer of mulch at the base but allow for a 1-2 inch wide mulch-free area to reduce moist bank and decay.
9. Keep soil moist, water once per week, continue into mid-fall.

3. 2024-15C Stormwater Ordinance

The Mayor opened the public hearing on Ordinance 2024-15C with a motion and second by Councilmen Rossi and Valyo and an all in favor vote.

PUBLIC HEARING

With no one wishing to speak, the Mayor closed the floor for comment on a motion and second by Councilmen English and Butkus and an all in favor vote. With that the Mayor asked for a motion to approve Ordinance 2024-15C for final adoption. Councilman Valyo made a motion, seconded by Councilman Rossi. a roll call vote was heard with six in the affirmative, none opposed. Motion approved.

ORDINANCE 2024-15C

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 16.92, WHICH PERTAINS TO STORMWATER CONTROL

STATEMENT OF PURPOSE

The purpose of this ordinance is to repeal and replace Chapter 16.92 to adopt the revised and required State regulations relating to stormwater control.

SECTION I

§16.92 is repealed and replaced with the following.

§16.92 Stormwater Control

§16.92.010 Scope and Purpose.

- A. Policy Statement. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs should be developed based upon physical site conditions and the origin, nature, and the anticipated quantity or amount of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for green infrastructure, water quality, quantity, and groundwater recharge.
- B. Purpose. The purpose of this Chapter is to establish minimum stormwater management requirements and controls for “major development,” as defined below.
- C. Applicability.
 1. This Chapter shall be applicable to the following major developments:
 - a. Non-residential major developments and redevelopment projects; and
 - b. Aspects of residential major developments and redevelopment projects that are not pre-

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empted by the Residential Site Improvement Standards at N.J.A.C. 5:21, et seq.

2. This Chapter shall also be applicable to all major developments undertaken by the Borough of Ship Bottom.
 3. Applicability of this Chapter to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference.
- D. Compatibility with Other Permit and Code Requirements.
1. Development approvals issued pursuant to this Chapter are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this Chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.
 2. This Chapter is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this Chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§16.92.020 Definitions.

For the purpose of this Chapter, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions used in this ordinance shall be the same as the last amended Stormwater Management Rules at N.J.A.C. 7:8-1.2, incorporated herein by reference.

§16.92.030 Design and Performance Standards for Stormwater Management Measures.

This section establishes design and performance standards for stormwater management measures for major development intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies. Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference.

§16.92.040 Solids and Floatable Materials Control Standards.

- A. Site design features identified under §16.93.030, or alternative designs in accordance with same, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Subsection 2 below.
1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - b. A different grate, if each individual clear space in that grate has an area of no more than 7 square inches or is no greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates. Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.
 - c. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than 7 square inches, or be no greater than 2 inches across the smallest dimension.
 2. The standard in Subsection 1 above does not apply:
 - a. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than 9 square inches;
 - b. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm

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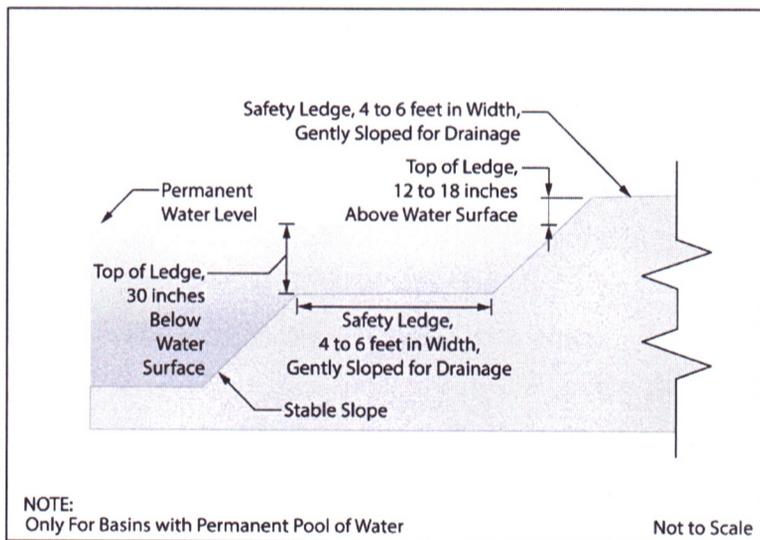
drain inlets;

- c. Where flows from the water quality design storm as specified in the last amended Stormwater Management rules at N.J.A.C. 7:8 et seq. are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space 4.625 inches long and one and 1.5 inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.
- d. Where flows are conveyed through a trash rack that has parallel bars with 1-inch spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- e. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.
- f. These exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)(2) and 7.4(b)1).

§16.92.050 Safety Standards for Stormwater Management Basins.

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.
- B. Safety Ledge Illustration.

Elevation View –Basin Safety Ledge Configuration



§16.92.060 Requirements for a Site Development Stormwater Plan.

- A. Submission of Site Development Stormwater Plan.
 - 1. Whenever an applicant seeks municipal approval of a development subject to this Chapter, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at §16.92.060 as part of the submission of the application for approval.
 - 2. The applicant shall demonstrate that the project meets the standards set forth in this Chapter.
 - 3. The applicant shall submit 4 copies of the materials listed in the checklist for site development stormwater plans in accordance with §16.92.060C.
- B. Site Development Stormwater Plan Approval. The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this Chapter.
- C. Submission of Site Development Stormwater Plan. The following information shall be required.

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1. Topographic Base Map. The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"= 200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.
2. Environmental Site Analysis. A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways, and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
3. Project Description and Site Plans. A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.
4. Land Use Planning and Source Control Plan. This plan shall provide a demonstration of how the goals and standards of §16.92.030 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management, and source controls whenever possible.
5. Stormwater Management Facilities Map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:
 - i. Total area to be disturbed, paved, or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater; and
 - ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
6. Calculations.
 - i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in §16.92.030.
 - ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
7. Maintenance and Repair Plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of §16.92.070.
8. Waiver from Submission Requirements. The municipal official or board reviewing an application under this Chapter may, in consultation with the municipality's review engineer, waive submission of any of the requirements in §16.92.070C1 through C6 of this Chapter when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

§16.92.070 Maintenance and Repair.

- A. Applicability. Projects subject to review as in §16.92.010C of this Chapter shall comply with the requirements of §16.92.070B and C.
- B. General Maintenance.
 1. Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.
 2. The following requirements of N.J.A.C. 7:8-5.8 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to

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all applicable municipal stormwater general permit conditions, as issued by the Department:

- i. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency, or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation; and
 - ii. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
3. In the event the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have 14 days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§16.92.080 Penalties.

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure, or land in violation of this Chapter shall be subject to the penalties set forth in Title 1, General Provisions, 1.08 General Penalty.

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, May 28, 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 June 25, 2024, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

Kristy DeBoer, RMC
Municipal Clerk

CERTIFICATION

I, KRISTY DeBOER, RMC, Municipal Clerk for the Borough of Ship Bottom do hereby certify that the foregoing Ordinance 2024-16C was duly adopted by the Mayor and Council at the meeting held on June 25, 2024, at 6:30 p.m.

Kristy DeBoer, RMC
Municipal Clerk

William Huelsenbeck
Mayor

10. CORRESPONDENCE

The Mayor asked for a motion to approve the correspondence. Councilman Valyo made a motion to approve, seconded by Councilman Butkus. A roll call vote was heard with six in the affirmative, none opposed. The correspondence was approved as presented.

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1. Scripture Union’s Children’s Sand and Surf Mission, 07/22/2024 – 07/26/2024 & 07/29/2024 – 08/02/2024
2. Cycle 4 Awareness, September 29, 2024
3. SBVFC Requesting Temporary Road Closure, 07/13/2024 7AM – 11PM, 21st St.
4. Gina Carrano & Chris Murphy, Wedding Ceremony, 9/5/2024, 3:30 PM Sunset Park
5. Sprint for Life, Municipal Boat Ramp, April 5, 2025

11. COMMITTEE REPORTS

Mayor’s Report

Revenue and Finance/Treasurer’s Report

Councilman David Hartman

The Tax Department is waiting for the state tax rates. Once we receive a certified tax rate, the billing for 2024 will begin. Homeowners should expect to see a tax bill mid to end of July. Homeowners should also pay attention to the due date for their third quarter obligation. There are 38 properties that are delinquent as to their real estate tax obligation. All property owners have been notified by letter and a phone call. The annual senior and veteran report required by the county was completed by the June 5th deadline. The amount collected in taxes for the month was #169,507.21.

Public Safety

Councilman Tom Tallon

Police:

There were 398 business, beach and building checks.

There were 6328 patrol vehicle miles.

Two fireworks violations.

Nine medical assists.

387 traffic stops.

Twenty two motor vehicle accidents with no injuries.

And two DUI’s.

Fire Company:

There were 258 alarm response day book responses for a total of 55.26 hours.

There was a water rescue training, a clean the bay and fire truck training and live burn training during April and May.

I want to read a portion of Fire Chief Todd’s April/May monthly report:

I want to thank Kathleen & Kristy, along with the town as a whole, for assisting the fire company with the American Rescue Grant. Without the town’s help, we would not have been able to submit for this grant, as we’ve been locked out of our own FEMA account. The fire company will be reaching out in the future to ask the town to assist us in applying for other grants, both state and federal. We have received most of our gear, only waiting on a few items.

Public Property & Community Affairs

Councilman Joseph Valyo

| | | | |
|--------------------|----|-----------------|-----------|
| Permits Processed: | 09 | Permit Updates: | 02 |
| TOTAL: | | | 11 |

| | | | |
|-----------------------|---|--------------|-------------------|
| New Buildings: | 0 | Alterations: | 10 |
| Demolitions: | 1 | Additions: | 0 |
| Addition/Rehab | 0 | | |
| Total Revenue: | | | \$2,358.00 |

ZONING REPORT

| | | | |
|------------------------|---|----------------------|-----------|
| New Single Family Res: | 1 | Addition/Alteration: | 0 |
| Pavers: | 3 | Pool: | 5 |
| Bulkhead | 0 | Fence: | 3 |
| Total: | | | 12 |

| CODE ENFORCEMENT | Verbal Warnings | Written Warnings | Summons |
|------------------------------|-----------------|------------------|----------|
| Unfit Properties | 2 | 7 | 0 |
| Garbage Container | 5 | 40 | 0 |
| Recycling Container | 8 | 46 | 0 |
| Trailer on Street | 1 | 10 | 0 |
| Illegal Signs/Cones | 0 | 1 | 0 |
| Temporary Storage Containers | 2 | 4 | 1 |
| Pavers, Fiberglass | 4 | 0 | 0 |
| Construction Equipment | | | |
| On Street | 10 | 4 | 0 |
| Uncovered Dumpsters | 1 | 9 | 0 |
| Dogs on the Beach | 7 | 0 | 0 |
| TOTALS: | 40 | 121 | 0 |

CERTIFICATE OF OCCUPANCY INSPECTIONS

7 TOTAL ALL PASSED

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Parks and Recreation

Councilman Edward English

Beaches are now officially open as of June 15 and lifeguards are on duty from 10am to 6pm. CPR/AED and First Aid recertification classes will be underway for all returning lifeguards. Rookie school will be in session from June 24 through June 30. The new recruits will be ready to work and on the beach before 4th of July. The Lifeguard-in-Training Program will run this season for 6 weeks with an opening date of July 1. Thank you to all the borough departments for their support in helping get us ready for our first day. It is always a team effort.

Beach badge sales are off to a good start, up \$46,969.00 from last year. This year's sales, to date, are, \$705,015.00. Boat ramp sales are also up this year from last year at \$22,715.00.

Water/Sewer

Councilman Robert Butkus

The water/sewer department has been busy working on the second quarter metered bills. It is our goal to have those bills in the mail by the end of the week. Metered properties will have till July 20th to pay their water/sewer obligations and should be expecting them in the mail. Reminder that they are postcard bills. Property owners are encouraged to read the back of the bills for a breakdown and explanation of those bills. We do have a few properties that are delinquent with outstanding balances. One property has been turned off for their delinquency after many attempts made to the property owner. The amount collected for water/sewer for the month was \$17,643.77.

Public Works

Councilman Peter Rossi

Councilman Rossi reported that the Public Works Department completed the following:

They have been working weekends in order to get the town ready for summer. They cleaned the beach with beach rake, dumped trash and recycling cans on beach and bay beach, replaced cap on the boat ramp pier, cut lawns, picked up metal, picked up brush, cleaned up boat ramp area, replaced broken split rail fence on beach walkways, filled in wash outs on beach walkways, replaced broken sign post on 28th Street, repaired Sunset Point sprinklers, replaced hot water heater at lifeguard house, PD car repairs, DPW truck and equipment repairs, mulched Sunset Point, put bay beach fence in, put lifeguard stands out, put lifeguard boxes out, set tables up for election at Borough Hall, watered plants, sprayed weeds, BobCat repairs, put paddle board ramp in at boat ramp, worked on beach walkways removing sand, swept and shoveled steps and ramps on beach walkways, put handicapped ramp in at bay beach, put no parking signs up and painted white one on Bay Terrace, put steps in at bay beach, put handicapped mats out on beach, back drag bay beach, put volleyball nets up, put one way signs up on 27th St., put shelving up at PD, started repairs on boat ramp pavilion, playground inspection, fire extinguisher inspection, removed seaweed from bay beach, swept road at bay beach, put concert signs up, cutback vegetation on beach walkways, repaired water line at Sun Set Point, repaired toilets at bay beach.

11. PUBLIC COMMENT

The Mayor opened the floor for comment on a motion by Councilman Butkus, seconded by Councilman English and an all in favor vote.

Ron Craft, 15th Street, Mr. Craft questioned the newly painted traffic lines on Barnegat Avenue. He was concerned with the new traffic pattern that allows cars to either turn or go straight, where the turning lane used to have a specific turning lane separate from the straight lane. His opinion was that the new traffic pattern will create more traffic, not alleviate it.

John Lihvarcik, 328 W. 11th St. Mr. Lihvarcik suggested that the mayor and council consider allowing artists to do seascape designs on the electrical boxes throughout town. He mentioned that Ocean City had done a similar program and that it was well received within the city.

Bill Fenimore, 9 Robert Drive. Mr. Fenimore wondered if the council would consider having the monthly meetings via ZOOM so more people can participate and hear what is going on. Then he questioned why he hadn't received the user friendly budget since he had asked for a copy at the last meeting. Last, he wanted to know if the borough has put out an official statement about council members getting health benefits.

Mark Czarzasty, 345 W. 15th St., Mr. Czarzasty wanted to know if the mayor and council had considered a name for the proposed open space area on the school property. He felt that if it was named after someone like Neil Armstrong, it may draw people to visit.

John Harris, 19th St., Mr. Harris wondered if the agreement with Pagnotta to develop the LBI School Property was finalized. He asked if the lost public space will be replaced in another part of town. He felt strongly about the loss of the property and the, negative, impact that he felt the development of the project will have in town.

Roger Bacharach, 325 W. 19th St. MR Bacharach complained that the 19th Street beach ramp is very difficult to navigate. He also mentioned that the railing at the beach entrance was broken and in need of repair.

Jack Cassella, Beach Haven First Aid Squad. Mr. Casella reminded the Mayor and Council that if the Beach Haven First Aid Squad did not hear back from the Mayor and Council by July 15th the Beach

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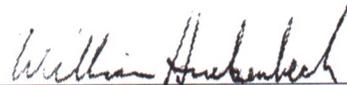
Haven First Aid Squad will cease service immediately. They were requesting a formal letter from the Mayor and Council designating \$50,000.00 a year for their services.

With no further comment from the public, the Mayor closed the floor on a motion by Councilman Rossi, seconded by Councilman Tallon and an all in favor vote.

13. **ADJORN THE MEETING**

On a motion by Councilman English, seconded by Councilman Butkus and an all in favor vote, the Mayor adjourned the meeting at 7:29 PM.



Kristy DeBoer
Municipal Clerk

William Huelsenbeck
Mayor

**BOROUGH OF SHIP BOTTOM
TREASURER'S REPORT
OCEAN FIRST BANK
MAY 2024**

| <u>ACCT TITLE/ ACCOUNT #</u> | <u>BALANCE</u> | <u>DEPOSITS</u> | <u>DISBURSEMENTS</u> | <u>ENDING BALANCE</u> |
|----------------------------------|----------------|-----------------|----------------------|---------------------------|
| GENERAL OPERATING | 5,325,359.90 | 3,034,878.11 | 3,756,334.12 | 4,603,903.89 |
| GENERAL CAPITAL | 214,399.83 | 1,001,343.20 | 372,106.59 | 843,636.44 |
| UTILITY OPERATING | 1,997,360.87 | 140,430.35 | 273,546.95 | 1,864,244.27 |
| UTILITY CAPITAL | 1,869,677.96 | 4,298.86 | 5,341.00 | 1,868,635.82 |
| GENERAL TRUST | 239,740.26 | 9,036.33 | 679.54 | 248,097.05 |
| CONSTRUCTION TRUST | 50,942.82 | 9,194.86 | 4,535.00 | 55,602.68 |
| DOG TRUST | 1,028.48 | 30.39 | 12.00 | 1,046.87 |
| PUBLIC DEFENDER | 1,042.17 | 2.40 | - | 1,044.57 |
| TAX SALE PREMIUMS | 17,994.63 | 41.46 | - | 18,036.09 |
| FORFEITURE OF FUNDS | 21,360.03 | 49.21 | - | 21,409.24 |
| PAYROLL | 68,633.51 | 401,091.69 | 382,506.06 | 87,219.14 |
| ALCOHOL EDUCATION | 15,603.49 | 35.95 | - | 15,639.44 |
| CREDIT CARD ACCOUNT | 340,705.57 | 165,782.97 | - | 506,488.54 |
| GRANT FUND | 65,887.31 | 113.74 | 27,292.05 | 38,709.00 |
| ACCUMULATED ABSENCE | 788,579.19 | 1,816.83 | - | 790,396.02 |
| TIME CAPSULE | 427.43 | 0.98 | - | 428.41 |
| ESCROW | 347,073.85 | 8,048.26 | 6,745.72 | 348,376.39 |

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BOROUGH OF SHIP BOTTOM
Purchase Order Listing By Vendor Name

Page No: 1

P.O. Type: All
Range: First
Format: Condensed
Vendors: All
Rcvd Batch Id Range: First to Last

Include Project Line Items: Yes
to Last
First Enc Date Range: 06/12/24 to 12/31/24
Include Non-Budgeted: Y

Open: N
Rcvd: N
Bid: Y

Paid: Y
Held: N
State: Y

Void: N
Aprv: Y
Other: Y
Exempt: Y

| Vendor # | Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|----------|--------------------------------|----------|----------|--------------------------------|--------|-----------|-------------|----------|---------|
| ADTC005 | ADT COMMERCIAL | 24-00611 | 06/25/24 | SERVICES PORVIDED 6/29-7/28 | Open | 62.50 | 0.00 | | |
| AMER1055 | AMERICAN WEAR INC | 24-00092 | 01/23/24 | UNIFORM CLEANING 2024 | Open | 123.00 | 0.00 | | B |
| AMIS005 | AMISCO NEW YORK CORP | 24-00597 | 06/25/24 | COMPRESSED OXYGEN, ACETYLENE | Open | 54.00 | 0.00 | | |
| BARBA010 | BARBARA COURTS | 24-00613 | 06/25/24 | COURT RECORDING 6/10/24 | Open | 75.00 | 0.00 | | |
| BEACH020 | BEACH HAVEN AUTOMOTIVE, INC. | 24-00593 | 06/25/24 | | Open | 1,164.42 | 0.00 | | |
| CINTA005 | CINTAS CORPORATION NO. 2 | 24-00610 | 06/25/24 | FIRST AID SUPPLIES | Open | 7.15 | 0.00 | | |
| CREA005 | CREATIVE MANAGEMENT INC | 24-00599 | 06/25/24 | FUEL INVOICES | Open | 3,784.93 | 0.00 | | |
| CRIT005 | CRITIER MAN PEST CONTROL | 24-00604 | 06/25/24 | MONTHLY SERVICE JUNE 2024 | Open | 350.00 | 0.00 | | |
| EAST010 | EASTERN WAREHOUSE DISTRIBUTORS | 24-00594 | 06/25/24 | | Open | 673.47 | 0.00 | | |
| GANN010 | GANNETT N.Y. N.J. LOCAL 10 | 24-00627 | 06/25/24 | NOTICE OF TAX SALE JUNE 2024 | Open | 72.54 | 0.00 | | |
| KONIC010 | KONICA MINOLTA BUSINESS | 24-00612 | 06/25/24 | ALL COVERED MONTHLY CARE FEE | Open | 6,366.56 | 0.00 | | |
| | | 24-00623 | 06/25/24 | MANAGED IT SERVICES | Open | 2,876.00 | 0.00 | | |
| | | | | | | 9,242.56 | | | |
| LANGU010 | LANGUAGE SERVICES ASSOCIATES | 24-00619 | 06/25/24 | INTERPRETATION SERVICES | Open | 14.70 | 0.00 | | |
| LISA005 | LISA M. KENNY | 24-00614 | 06/25/24 | COURT ASSISTANCE 6/10/2024 | Open | 75.00 | 0.00 | | |
| LONGB030 | LONG BEACH ISLAND HEALTH DEPT | 24-00605 | 06/25/24 | 2ND QUARTER PUBLIC HEALTH SERV | Open | 13,376.40 | 0.00 | | |
| LONGB040 | LONG BEACH TWP | 24-00618 | 06/25/24 | I.A. CONSTRUCTION/TRANSPORT | Open | 58,750.00 | 0.00 | | |

| Vendor # | Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|----------|--------------------------------|----------|----------|--------------------------------|--------|-----------|-------------|----------|---------|
| MOD010 | MODERN GROUP, LTD. | 24-00196 | 02/16/24 | PUMP STATION KOHLER | Open | 490.00 | 0.00 | | |
| NJSTA020 | N.J. STATE LEAGUE OF MUNICIPAL | 24-00624 | 06/25/24 | OCT'24-JUN'25 MAGAZINE RENEWAL | Open | 75.00 | 0.00 | | |
| NORTH015 | NORTH AMERICAN RESCUE LLC | 24-00592 | 06/20/24 | 3 first aid kits | Open | 243.94 | 0.00 | | |
| OWENL010 | OWEN LITTLE AND ASSOCIATES | 24-00622 | 06/25/24 | ENGINEERING SERVICES | Open | 13,282.35 | 0.00 | | |
| PBAL0005 | PBA LOCAL 175 | 24-00589 | 06/18/24 | PBA UNION DUES MAY 2024 | Open | 520.00 | 0.00 | | |
| PRIME015 | PRIMEPOINT LLC | 24-00540 | 05/31/24 | SEP-APR PAYROLL SERVICES | Open | 306.82 | 0.00 | | |
| NEWPO010 | RICHARD NEWPORT | 24-00601 | 06/25/24 | SUMMER CONCERT SERIES | Open | 1,500.00 | 0.00 | | |
| RIGGI010 | RIGGINS, INC. | 24-00598 | 06/25/24 | FUEL INVOICES | Open | 1,991.08 | 0.00 | | |
| SBFH0010 | SHIP BOTTOM FIRE COMPANY | 24-00617 | 06/25/24 | 2024 ANNUAL CONTRIBUTION | Open | 76,951.00 | 0.00 | | |
| SHORE060 | SHORE PROMOTIONS | 24-00556 | 06/10/24 | 2024 BEACH PATROL & LIT GEAR | Open | 14,200.00 | 0.00 | | |
| STFRA010 | ST. FRANCIS SENIOR CENTER | 24-00616 | 06/25/24 | 2024 ANNUAL CONTRIBUTION | Open | 7,000.00 | 0.00 | | |
| STAND010 | STANDARD INSURANCE COMPANY | 24-00620 | 06/25/24 | SHORT-TERM DISABILITY JUN 2024 | Open | 713.34 | 0.00 | | |
| SUBUR010 | SUBURBAN DISPOSAL INC. | 24-00606 | 06/25/24 | SOLID WASTE & RECYCLING - MAY | Open | 59,967.96 | 0.00 | | |
| TMASS005 | T & M ASSOCIATES | 24-00621 | 06/25/24 | PROFESSIONAL SERVICES RENDERED | Open | 3,989.75 | 0.00 | | |
| TEAMS005 | TEAMSTERS LOCAL UNION NO 35 | 24-00586 | 06/17/24 | UNION DUES - MAY 2024 | Open | 221.00 | 0.00 | | |
| THEDR005 | THE DRILL SERGEANT CLEANING | 24-00587 | 06/18/24 | JANITORIAL SERVICES | Open | 1,070.00 | 0.00 | | |
| THESA010 | THE SANDPAPER | 24-00600 | 06/25/24 | NEWSPAPER ADS | Open | 2,826.75 | 0.00 | | |
| TREAS090 | TREASURER, STATE OF NEW JERSEY | 24-00583 | 06/14/24 | STORMWATER DISCHARGE PERMIT | Open | 1,050.00 | 0.00 | | |

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BOROUGH OF SHIP BOTTOM
Purchase Order Listing By Vendor Name

| Vendor # | Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|------------------------|--------------------------|----------|------------------------|----------------------------|--------|--------------------|-------------|--------------------|---------|
| TUCKE010 | TUCKERTON LUMBER COMPANY | 24-00628 | 06/25/24 | | Open | 940.19 | 0.00 | | |
| VERIZ010 | VERIZON | 24-00595 | 06/25/24 | TELEPHONE SERVICES | Open | 347.34 | 0.00 | | |
| VERIZ020 | VERIZON WIRELESS | 24-00596 | 06/25/24 | CELL PHONE & MDT 5/16-6/15 | Open | 980.18 | 0.00 | | |
| Total Purchase Orders: | | 37 | Total P.O. Line Items: | | 0 | Total List Amount: | 276,492.37 | Total Void Amount: | 0.00 |

| Totals by Year-Fund | | | | | | |
|----------------------|-------------|--------------|---------------|-----------|---------------|------------|
| Fund Description | Fund | Budget Total | Revenue Total | G/L Total | Project Total | Total |
| CURRENT FUND | 4-01 | 255,056.30 | 0.00 | 0.00 | 0.00 | 255,056.30 |
| WATER/SEWER FUND | 4-06 | 306.82 | 0.00 | 0.00 | 0.00 | 306.82 |
| | 4-11 | 0.00 | 0.00 | 0.00 | 445.00 | 445.00 |
| | Year Total: | 255,363.12 | 0.00 | 0.00 | 445.00 | 255,808.12 |
| CAPITAL FUND | C-04 | 10,428.25 | 0.00 | 0.00 | 0.00 | 10,428.25 |
| UTILITY CAPITAL FUND | C-07 | 8,630.00 | 0.00 | 0.00 | 0.00 | 8,630.00 |
| | Year Total: | 19,058.25 | 0.00 | 0.00 | 0.00 | 19,058.25 |
| | P-22 | 741.00 | 0.00 | 0.00 | 0.00 | 741.00 |
| TRUST-OTHER | T-03 | 885.00 | 0.00 | 0.00 | 0.00 | 885.00 |
| Total of All Funds: | | 276,047.37 | 0.00 | 0.00 | 445.00 | 276,492.37 |

| Project Description | Project No. | Project Total |
|------------------------|-------------|---------------|
| ZABROSKI, KENNETH | C 22-13 | 125.00 |
| 1937 W BAY LLC | C 23-05 | 125.00 |
| TAYNA HAYNER | DKT 24-07 | 195.00 |
| Total of All Projects: | | <u>445.00</u> |