

## COUNCIL MEETING MINUTES

April 12, 2017

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**Public Announcement** In compliance with the Open Public Meetings Act of the State of New Jersey, adequate notice of this meeting of the Borough Council has been provided to three newspapers and published in the January 12, 2017 issue of the Beach Haven Times.

A meeting of the Borough Council of the Borough of Surf City was held on the above date in the Council Chambers of the Borough Hall. Roll call, followed by a salute to the flag, showed the following to be in attendance:

Councilman Hadash, Councilman Hartney, Councilman Wm. Hodgson, Councilman Klose, Councilman Russell, Councilwoman Siciliano and Mayor F. Hodgson.

Mayor Hodgson called for approval of the minutes of the regular meeting held on March 8, 2017. Upon a motion by Mr. Russell, seconded by Mr. Klose, the minutes were approved as presented.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Public hearing and final adoption of Ordinance 2017-03, which was read by title only, as follows:  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Motion by Mr. Hartney, seconded by Mr. Russell, and, a vote in the affirmative, the public hearing was opened. With there being no comment from the audience, upon a motion by Mr. Russell, seconded by Mr. Klose, and, a vote in the affirmative, the public hearing was closed.

Upon a motion by Mr. Klose, seconded by Mr. Russell, Ordinance 2017-03 was passed on second and final reading and is attached hereto as, Schedule 1:

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Introduction and first reading of Ordinance 2017-04, which was read by title only, as follows:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF SURF CITY, COUNTY  
OF OCEAN, STATE OF NEW JERSEY, 2000" AS THE SAME IN CHAPTER 19  
PERTAINS TO "BEACH RESORT REGULATIONS"

and moved that same be given its first reading after brief discussion regarding certain improvements. Upon a motion by Mr. Klose, seconded by Mr. Hartney, Ordinance 2017-04 was introduced and passed on first reading and will be considered for final passage, after a public hearing, to be held on May 10, 2017.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.  
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Resolution allowing the Municipal Budget to be read by title only at the public hearing. Upon a motion by Mr. Klose, seconded by Mr. Russell, the following resolution was adopted:

**RESOLUTION TO READ THE BUDGET BY  
TITLE ONLY AT THE PUBLIC HEARING**

WHEREAS, N.J.S.40A:4-8 provides that the budget be read by title only, at the time of the public hearing, if a resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing, a complete copy of the approved budget as advertised has been posted in the Borough Hall a copy has been posted on the official website and copies have been made available by the Clerk to persons requiring them;

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Public hearing on the 2017 Municipal Budget. Motion by Mr. Klose, seconded by Mr. Hartney, and, a vote in the affirmative, the public hearing was opened. With there being no comment from the audience, upon a motion by Mr. Russell, seconded by Mr. Klose, and, a vote in the affirmative, the public hearing was closed.

Adoption of the 2017 Municipal Budget, Upon a motion by Mr. Russell, seconded by Mr. Klose, the 2017 Municipal Budget was adopted:

**RESOLUTION TO ADOPT THE  
2017 MUNICIPAL BUDGET**

BE IT RESOLVED by the Borough Council of the Borough of Surf City, County of Ocean that the budget, hereinbefore set forth, is hereby adopted and shall constitute an appropriation for the purposes stated, herein set forth, as appropriations and authorization of the amount of \$4,300,000.00 to be raised by taxation for Municipal purposes.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Resolution changing the bid threshold utilized by the Borough of Surf City to \$25,000. Upon a motion by Mr. Klose, seconded by Mr. Russell, the following resolution was adopted:

**RESOLUTION 2017-68**

WHEREAS, the Borough of Surf City employs a Qualified Purchasing Agent in accordance with the Local Public Contracts Law of the State of New Jersey; and

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WHEREAS, the Borough is permitted by law to amend its threshold for which bidding would be required; and

WHEREAS, it is the desire of the Borough of Surf City to increase its bid threshold from the current amount of \$17,500 to \$25,000.

NOW THEREFORE, BE IT RESOLVED that bid threshold be and is hereby increased to \$25,000. effective immediately, and subject to any other quotation thresholds pursuant to Borough Ordinance.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Resolution approving the person to person transfer of Alcoholic Beverage License formerly held by Surf City Liquor, LP to LBI Beverage, LLC also known as the Surf City Hotel. It was noted that all of the requirements have been met. Upon a motion by Mrs. Siciliano, seconded by Mr. Klose, the resolution, attached hereto as Schedule 2, was adopted:

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Resolution authorizing an amendment to the agreement with the PBA Local #175. Upon a motion by Mr. Wm. Hodgson, seconded by Mr. Hartney, the following resolution was adopted:

#### RESOLUTION 2017-67

WHEREAS, the Borough of Surf City entered into an employment contract with the PBA Local #175, which covers the terms and conditions of employment for the officers and sergeants employed by the Borough of Surf City; and

WHEREAS, said contract is for the period from January 1, 2015 through December 31, 2018;

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Surf City does hereby authorize execution of the attached amendment effective as of this date.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Resolution authorizing the execution of a Shared Services Agreement with the County of Ocean, for participation in a program called the Prosecutor's Office Driving While Intoxicated Enforcement Program. Upon a motion by Mr. Wm. Hodgson, seconded by Mr. Hartney, the following resolution was adopted:

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RESOLUTION 2017-66

WHEREAS, the County of Ocean has created and established a program to assist municipalities through a program called the Prosecutor's Office Driving While Intoxicated Enforcement Program; and

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes the Borough of Surf City to enter into a contract for the provision of certain governmental services with the County of Ocean; and

WHEREAS, the Borough of Surf City entered into an agreement with the County of Ocean to provide assistance in the identification and removal of intoxicated drivers from the roadways; and

WHEREAS, the Prosecutor's Office is requesting an amendment due to the Grant designated by the State of New Jersey for the program;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Surf City in the County of Ocean, State of New Jersey, as follows:

1. The Mayor and Municipal Clerk of the Borough of Surf City are hereby authorized and directed to execute an amendment to the Shared Services Agreement with the County of Ocean for participation in a program called the Prosecutor's Office Driving While Intoxicated Enforcement Program.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Resolution authorizing a change fund in the amount not to exceed \$5,000. as needed by the Beach Badge Checkers and Sellers and the Boat Ramp Attendants. Upon a motion by Mr. Hartney, seconded by Mr. Russell, the following resolution was adopted:

RESOLUTION 2017-65

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Surf City that authorization be and is hereby given to the Chief Financial Officer of the Borough of Surf City to proceed with obtaining the necessary change fund in the amount not to exceed \$5,000. as needed by the Beach Badge Checkers and Sellers and the Boat Ramp Attendants.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Resolution proclaiming the month of May as "Surf Pink Month". Upon a motion by Mrs. Siciliano, seconded by Mr. Klose, the following resolution was adopted:

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RESOLUTION IN RECOGNITION OF  
SURF PINK MONTH - MAY 2017

Resolution No. 2017-64

WHEREAS, the Borough of Surf City desires to recognize the month of May 2017 as “Surf Pink Month”; and

WHEREAS, since its inception in 2007, in a community-wide effort presented by Meridian Health, “Paint the Town Pink” has expanded to a month long event from May 1, 2017 through May 31, 2017; and

WHEREAS, the Borough of Surf City desires to join Meridian Health, the County of Ocean and other local Municipalities in Ocean and Monmouth Counties in raising awareness of the importance of annual mammography; and

WHEREAS, early detection is the best defense against breast cancer and Surf City would like to spread awareness through distribution of brochures, wearing pink, decorations, and other activities; and

BE IT HEREBY RESOLVED that the Governing Body of the Borough of Surf City proclaims the month of May as “Surf Pink Month” and honors and endorses all programs in Ocean County, which encourage the importance of raising awareness of annual mammography;

BE IT FURTHER RESOLVED THAT certified copies of this resolution be forwarded to all County of Ocean municipalities and Meridian Health.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Officer Roe was present and explained the program. Mayor Hodgson thanked her for doing a fine job.

Proclamation designating the week of April 9-15, 2017 as National Library Week. Upon a motion by Mr. Russell, seconded by Mr. Hartney, the proclamation attached hereto as Schedule 3, was adopted:

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Mayor Hodgson thanked Mrs. Feaster for acknowledging the Governing Body on the new library sign. Mrs. Feaster expressed gratitude to the Governing Body for all of their help in making the new sign possible.

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Resolution authorizing release of a curb bond posted by 2417- 2421 Long Beach Blvd. for 2417- 2421 Long Beach Blvd. in the amount of \$4,900., Tiber Company, LLC - 2417- 2421 Long

Beach Blvd. in the amount of \$4,900., D. Spencer - 249 N. 3<sup>rd</sup> Street in the amount of \$3,000. and J. Decker - 114 N. 25<sup>th</sup> Street in the amount of \$3,350. Upon a motion by Mr. Klose, seconded by Mr. Russell, the following resolution was adopted:

#### RESOLUTION 2017- 62

WHEREAS, Pursuant to Ordinances 04-09 and 04-11, a performance guarantee may be posted with the Borough for permanent curb installation at the time of exchange of ownership.

WHEREAS, the below listed person(s) posted a guarantee in the corresponding amount prior to the exchange of ownership;

WHEREAS, The Zoning Official made a final inspection and approved same to be in conformance with the Borough ordinances.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, that:

The following guarantee may be released:

2417- 2421 Long Beach Blvd. for 2417- 2421 Long Beach Blvd. in the amount of \$4,900.

Tiber Company, LLC - 2417- 2421 Long Beach Blvd. in the amount of \$4,900.

D. Spencer - 249 N. 3<sup>rd</sup> Street in the amount of \$3,000.

J. Decker - 114 N. 25<sup>th</sup> Street in the amount of \$3,350.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Resolution authorizing the release of the LOSAP funds for the qualifying list of members of the Surf City Volunteer Fire Company No. 1. Councilman Russell and Councilman Hartney must recuse themselves from this item of business in accordance with State Statutes. Upon a motion by Mrs. Siciliano, seconded by Mr. Wm. Hodgson, the following resolution was adopted:

#### RESOLUTION 2017-63

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer be and is hereby authorized to proceed with releasing the amount of \$49,152.00. to Lincoln Financial, which represents the Borough of Surf City's LOSAP contribution for the 48 eligible Surf City Volunteer Fire Company and Emergency Medical Services members for the year 2016.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Chief Financial Officer of the Township of Long Beach.

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Roll Call Vote: Ayes - Hadash, Wm. Hodgson, Klose, Siciliano. Nays - None.

**Reports:**

Chief Financial Officer's Report for the month of February, 2017  
Municipal Court Report for the month of February, 2017

**Committee Reports:**

**Councilman Wm. Hodgson, Chairman of Police** explained the process which took place in the last couple of months working toward the promotion of members of the Police Department. He motioned Resolution 2017-71, seconded by Mr. Russell.

RESOLUTION 2017-71

NOW, THEREFORE, BE IT RESOLVED that the following listed individuals be and are hereby appointed as Sergeants in the Police Department, effective as of April 12, 2017 at the rate of pay in accordance with the Police Contract:

Sarah Roe  
Victor Rice

BE IT FURTHER RESOLVED that said appointment is probationary for a period of one (1) year in accordance with Borough Ordinance.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

He also motioned appointment Resolution 2017-69, seconded by Mr. Klose, as follows.

RESOLUTION 2017-69

NOW, THEREFORE, BE IT RESOLVED that the following listed individual is appointed as seasonal/on call employee in the Police Department, effective as of April 12, 2017, at the corresponding hourly rate of pay. Said appointment is on an as needed basis, and shall terminate on November 28, 2017:

Brian Forfa - Class II Special Officer \$12.00/per hour

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Councilman Wm. Hodgson provided a statistical report of operations for the month of March, 2017.

**Councilman Hadash, Chairman of Sanitation** gave the Sanitation and Recycling Report for the month of March. He motioned Resolution 2017- 70, seconded by Mr. Russell, as follows.

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RESOLUTION 2017-70

NOW, THEREFORE, BE IT RESOLVED that Matthew Henry is appointed as seasonal/on call Laborer in the Public Works Department effective as of March 31, 2017, at the rate of \$10.00 per hour. Said appointment is on an as needed basis and shall terminate on December 31, 2017:

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

**Councilman Russell, Chairman of Public Property and Lifeguards** discussed preparations for the upcoming lifeguard season and Memorial Day celebration. The Fire Company is having a pancake breakfast this Saturday.

**Councilwoman Siciliano, Chairwoman of Streets and Roads** advised that Streets and Roads is doing great. She surveyed the town recently and will be preparing a report to the Administrator. She also wished those who celebrate, a Happy Passover and Easter.

**Councilman Hartney, Chairman of Beaches** reported on the beaches and the compliance deadline for those who received substantial damage letters is approaching. He reported on badges and new signs we are obtaining to remind people to keep off the dunes, which are paid for by a grant. He also reported that the program at the bay will again be held this summer and he reported on Fire Company activities.

**Councilman Klose, Chairman of Water/Sewer** advised that there have only been a few leaks reported otherwise all is operating well.

**Comments from the Audience:**

Mr. Feeney of 20<sup>th</sup> Street questioned the roll and responsibility of the lifeguards and explained a situation with the lifeguard and a dog on the beach and another situation where kids were sliding down the dune. He was advised that a dune fence will be installed in short order and the matter will be discussed with the lifeguard Captain.

**Correspondence:**

**Action Required:**

Correspondence from Scripture Union requesting permission to again hold their annual Super Kids program on the Surf City 11<sup>th</sup> Street beach from July 31 - August 11, 2017. Upon a motion by Mr. Russell, seconded by Mr. Hartney, the following resolution was adopted:

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RESOLUTION 2017-73



NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Surf City that permission be and is hereby granted to the Scripture Union to hold their annual Super Kids program, formerly called Children's Sand and Surf Mission, on the 11th Street Ocean Beach during the weeks of July 31<sup>st</sup> through August 11<sup>th</sup>, 2017.

BE IT FURTHER RESOLVED that said approval is subject to the receipt of a Certificate of Insurance and Hold Harmless Agreement.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Correspondence from Danielle Paradiso requesting permission to purchase a memorial bench for placement on the ocean at N. 7<sup>th</sup> Street in honor of her grandfather, Emil DiMichele. Upon a motion by Mr. Russell, seconded by Mr. Klose, the request was approved.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

Correspondence from the Surf City Yacht Club requesting continued support by way of the placement of an advertisement in their 2017 yearbook. Upon a motion by Mr. Hartney, seconded by Mr. Klose, the request was approved.

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.

**No Action Required:**

Resolution received from the Township of Jackson, the Township of Little Egg Harbor, the Township of Long Beach and the County of Ocean.

**Comments from the Audience:**

Mr. Dave Bonanni introduced Colleen Gewirtz, the new owner of the Surf City Hotel, who expressed her excitement in becoming a part of our business community.

**Bill Resolution:** Upon a motion by Mr. Klose, seconded by Mrs. Siciliano, the following resolution was adopted:

BE IT RESOLVED BY COUNCIL OF THE BOROUGH OF SURF CITY, N.J. that the appurtenances known as "Scheduled Payment Reports" containing vouchers to be paid in the total amounts of:

Water & Sewer -	\$	100,826.12
Current -		529,770.59
Payroll Account -		216,614.28

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Dog License Account -	6.40	
Ice Cream Vendor Acct. -		.00

