

COUNCIL MEETING MINUTES

July 13, 2016

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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 14, 2016 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 June 8, 2016. Upon a motion by Mr. Russell, seconded by Mr. Hartney, the minutes were approved as presented.

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

Acknowledgement of the 2015 Audit, resolution certifying that the Comments and Recommendations have been read by each member of the governing body, as confirmed by Mayor F. Hodgson, and the group affidavit will be executed. Upon a motion by Mr. Klose, seconded by Mr. Russell, the following resolution was adopted:

RESOLUTION 2016-107

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report Audit, and specifically the sections of the Annual Audit entitled "Comments and

Recommendations", as evidenced by the group affidavit form of governing body attached hereto:
and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27 BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

WHEREAS, a corrective action plan, if applicable, outlining actions to be taken to correct the item listed in the comments and recommendations of the Auditor has been prepared in accordance with the law and is on file and available for public inspection in the office of the Municipal Clerk.

NOW, THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Surf City, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Resolution appointing Morgan R Montano, Esq of the Firm as additional alternate municipal prosecutor and removes Matthew J. Dorry from said position as Counselor Dorry has left the firm. Upon a motion by Mr. Hartney, seconded by Mr. Russell, the following resolution was adopted:

RESOLUTION 2016-105

WHEREAS, the Borough of Surf City (hereinafter "Borough") entered into a Professional Services Agreement with the Law Firm of Citta, Holzapfel & Zabarsky (hereinafter "Firm") for prosecutorial services effective January 1, 2016 through December 31, 2016; and

WHEREAS, the Borough wishes to appoint Morgan R. Montano, Esq. of the Firm as an additional alternate municipal prosecutor and remove Matthew J. Dorry from said position.

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

1. That the governing body does hereby appoint Morgan R. Montano, Esq. of the Firm as an additional alternate municipal prosecutor and removes Matthew J. Dorry from said position.

2. That a certified copy of this resolution shall be forwarded to the Firm and to the Municipal Court Administrator.

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

Resolutions authorizing the release of curb bonds. Upon a motion by Mr. Hartney, seconded by Mr. Klose, the following resolution was adopted:

RESOLUTION 2016-110

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 has made a final inspection and approved the 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:

David Craven - 111 N. 3rd Street in the amount of \$1,800.

Barbara O'Malley - 1605 Central Avenue in the amount of \$3,000.

Evan Medway - 236 N. 18th Street in the amount of \$2,600.

Marc Spielberg/Brennan - 414 N. Long Beach Blvd. in the amount of \$5,090.

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

Resolution accepting the donation of a surplus vehicle from the Borough of Harvey Cedars for the amount of \$1.00. Upon a motion by Mr. Klose, seconded by Mr. Hadash, the following resolution was adopted:

RESOLUTION 2016-106
ACCEPTING THE DONATION OF A SURPLUS VEHICLE FROM THE BOROUGH OF
HARVEY CEDARS FOR THE AMOUNT OF ONE DOLLAR

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(1), the sale or transfer of public property for nominal consideration may be made to another municipality or political subdivision of New Jersey as long as it is authorized by resolution; and

WHEREAS, the Borough of Harvey Cedars presently owns the following surplus vehicle no longer suitable for Borough use:

1996 Ford F450 Dump Truck VIN - 1FDLF 7FTEA 65184; and

WHEREAS, the Borough of Surf City has inspected said vehicle and desires to purchase said surplus vehicle.

WHEREAS, the Board of Commissioners of the Borough of Harvey Cedars has authorized the donation of the 1996 Ford F450 Dump Truck bearing V.I.N. 1FDLF7FTEA65184 for a nominal consideration of One Dollar and No Cents (\$1.00) to the Borough of Surf City.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to execute any documents and agreements to accept the transfer said surplus vehicle from the Borough of Harvey Cedars to the Borough of Surf City.

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

Resolution approving an approving an application for regular probationary membership in the Surf City Volunteer Fire Co. as submitted by Alex Scavuzzo. Upon a motion by Mrs. Siciliano, seconded by Mr. Hadash, the following resolution was adopted:

RESOLUTION 2016-96

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that the application for membership in the Surf City Volunteer Fire Co. as submitted below is hereby approved:

Regular Probationary Membership - Alex Scavuzzo

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

Chief Financial Officer's Report for the month of May 2016
Municipal Court Report for the month of May 2016

Committee Reports:

Councilman John Hadash, Chairman of Sanitation gave the Sanitation and Recycling Report for the month of June 2016 and motioned for adoption of Resolution 2016-108, seconded by Mr. Russell.

RESOLUTION 2016-108

NOW, THEREFORE, BE IT RESOLVED that the following listed individuals be and are hereby appointed as laborers in the Public Works Dept. on a part time, as needed basis at the rate of \$10.00 per hour:

Jason Magee - effective as of June 22, 2016 and terminating on September 30, 2016.
Giovanni Rossini - effective as of June 21, 2016 and terminating on October 31, 2016.
Blase Clay – effective as of July 7, 2016 and terminating on September 30, 2016.
Steven Sprague - effective as of July 11, 2016 and terminating on September 30, 2016.

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

He also thanked Tom Hudson for doing such a great job.

Councilman James Russell, Chairman of Public Property & Lifeguards also thanked Tom Hudson and all involved for how beautiful and green Veteran’s Memorial Park is this year. After reporting on public property & lifeguard rescues he motioned for the adoption of Resolution 2016-109, seconded by Mr. Klose.

RESOLUTION 2016-109

NOW, THEREFORE, BE IT RESOLVED that the following listed individuals are appointed as employees in the Lifeguard Department effective as of this date at the corresponding weekly rate of pay. Said appointments shall terminate on September 13, 2016.

LIFEGUARDS

1st YEAR \$400.00
 GAUDIOSO, MAX

4th YEAR \$460.00
 LAVERY, CAITLIN
 TURNER, ALEXIS

9th YEAR \$520.00
 DUNGE, PAUL

Councilman William Hodgson, Chairman of Police gave a Statistical Report of Operations for the month of June 2016. He mentioned the good turnout with coffee with Cops and commended Officer Sarah Roe for her community service in initiating a grocery drive for the St. Francis Center.

Councilwoman Jackie Siciliano, Chairwoman of Streets & Roads commented on the completion of street sweeping. She also mentioned her June 17th meeting with US Army Corps of Engineers regarding a 3 year study on Cat 4 preparedness; however after discussion ensued nuisance flooding will be added to that study. Councilwoman Siciliano also reported that she and Mayor Hodgson met with the DEP regarding the same issue of nuisance flooding as well as channel dredging, which has been halted due to NJ DOT stop work orders. She will be meeting with NJ DEP engineers to find workable solutions to frequent flooding.

Councilman Peter Hartney, Chairman of Beaches and Environmental reported that the replenishment project should be coming south in about two weeks and that the second phase of the Coastal Resiliency meeting has taken place. He also reported that Surf City beaches placed among the top five beaches according the NJ Sea Grant Poll. Councilman Hartney would like to thank Borough Superintendent Tom Hudson and Lifeguard Captain Mark Dileo who keep the beaches safe and clean. Also, beach badge sales have made revenue goals ten days earlier. After reporting on beaches and environmental issues he motioned for the adoption of Resolution 2016-104, seconded by Mr. Klose.

RESOLUTION 2016-104

NOW, THEREFORE, BE IT RESOLVED that the following listed individual is appointed seasonal employee in the Bathing Beach Department, effective as of the date noted, and shall terminate on September 6, 2016, at the corresponding rate of pay.

FILL-IN ASSISTANT SUPERVISOR Effective as of June 18, 2016

Kayla Pickel - \$10.50 per hour as Asst. Supervisor/\$8.73 per hour as checker/seller

BEACH BADGE CHECKER Effective as of July 5, 2016

Edward Rice - \$8.38 per hour

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

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Councilman John Klose, Chairman of Water/Sewer advised that all is well for that department.

Comments from the Audience: None.

Correspondence:

Action Required:

Correspondence was received from the Long Beach Island Fishing Club who would like permission to hold a fishing tournament on a portion of the beach in Surf City on Saturday, September 24, 2016. A certificate of insurance has been provided. Upon a motion by Mr. Klose, seconded by Mrs. Siciliano, as follows:

RESOLUTION 2016-111

WHEREAS, the Long Beach Island Fishing Club is holding its 70th Annual "World Series of Surf Fishing Invitational Tournament" on Saturday, September 24, 2016 between the hours of 6:30 a.m. and 1:00 p.m.; and

WHEREAS, permission has been requested for the tournament to take place on the ocean beaches in the Borough of Surf City; and

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Surf City grants permission to hold the tournament in Surf City and waives the beach buggy fee for this special event.

BE IT FURTHER RESOLVED that said approval is subject to the following conditions:

The club must provide a list of participants and their vehicle information to the Chief of Police.

The vehicles being used by the participants must be inspected by the Police Department prior to the event.

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

Comments from the Audience: None.

Bill Resolution: Upon a motion by Mr. Klose, seconded by Mr. Russell 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 -	\$ 62,209.16
Current -	480,473.36
Payroll Account -	300,432.89
Dog License Account -	13.80
Ice Cream Vendor Acct. -	.00
Escrow Release -	12,490.00
Tax Certificate Acct. -	<u>30,086.04</u>
	\$ 885,705.25

are hereby ordered paid and the Mayor and Clerk are authorized to draw an order upon the Borough Treasurer for same.

Approved: Councilman Russell
Councilwoman Siciliano
Councilman Hartney

Dated: July 13, 2016

/s/ Francis R. Hodgson, Sr., Mayor

With no further business to come before the Governing Body, upon a motion by Mr. Russell, seconded by Mr. Klose and a vote in the affirmative the meeting was adjourned.

Respectfully submitted,

CHRISTINE M HANNEMANN
Deputy Clerk