

COUNCIL MEETING MINUTES

October 14, 2015

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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 15, 2015 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 Hartney, Councilman F. Hodgson, Councilman Wm. Hodgson, Councilman Klose, Councilman Russell, Councilwoman Siciliano. Absent - Mayor Connors.

Council President Hodgson called for approval of the minutes of the regular meeting held on September 9, 2015. Upon a motion by Mr. Russell, seconded by Mr. Klose, the minutes were approved as presented.

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

Resolution excusing Mayor Connors from the meeting due to illness. Upon a motion by Mr. Hartney, seconded by Mr. Klose, the following resolution was adopted:

RESOLUTION 2015-131

NOW, THEREFORE, BE IT RESOLVED that Mayor Leonard T. Connors, Jr., be and is hereby excused from absence at the Borough Council meetings due to a brief illness.

BE IT FURTHER RESOLVED that the Borough Council extends to him, best wishes, for a speedy recovery.

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

Public hearing and final adoption of Ordinance 2015-08, which was read by title only. Motion by Mr. Hartney, seconded by Mr. Klose, and, a vote in the affirmative, the public hearing was opened. After a brief explanation, and with there being no comment from the audience, upon a motion by Mr. Russell, seconded by Mrs. Siciliano, and a vote in the affirmative, the public hearing was closed.

Upon a motion by Mr. Russell, seconded by Mr. Hartney, Ordinance 2015-08 was passed on second and final reading and is attached hereto as Schedule 1:

AN ORDINANCE OF THE BOROUGH OF SURF CITY, IN THE COUNTY OF OCEAN, NEW JERSEY AUTHORIZING THE RECONSTRUCTION AND RESURFACING OF VARIOUS STREETS IN THE BOROUGH OF SURF CITY AND APPROPRIATING \$425,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$403,750 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF SURF CITY TO FINANCE THE SAME.

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

Resolution authorizing the release of curb bonds as posted by:

- Chaffee Enterprises - 46 N. 20th Street in the amount of \$3,200.
- Priscilla Schlusser - 337 No. 11th Street in the amount of \$4,000.
- Chambers Lackey Realty - 218 N. 15th Street in the amount of \$2,400.
- Joyce Matuza - 2007 Sunset Avenue in the amount of \$1,500.
- Pamela Minnick - 45 N. 18th Street in the amount of \$5,330.

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

RESOLUTION 2015-122

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 guarantees may be released:

- Chaffee Enterprises - 46 N. 20th Street in the amount of \$3,200.
- Priscilla Schlusser - 337 No. 11th Street in the amount of \$4,000.
- Chambers Lackey Realty - 218 N. 15th Street in the amount of \$2,400.
- Joyce Matuza - 2007 Sunset Avenue in the amount of \$1,500.
- Pamela Minnick - 45 N. 18th Street in the amount of \$5,330.

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

Resolution appointing DeMaio's Incorporated - Environmental Engineers as Licensed Site Remediation Professional (LSRP) and authorizing execution of an agreement with same. Upon a motion by Mr. Russell, seconded by Mr. Klose, the following resolution was adopted:

RESOLUTION 2015-120

WHEREAS, the Borough of Surf City is in need of the services of the following professionals as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*:

Licensed Site Remediation Professional (LSRP); and

WHEREAS, the Borough Council of the Borough of Surf City desire to contract the services of the following professionals to fill said position:

DeMaio's Incorporated - Environmental Engineers

WHEREAS, the Chief Financial Officer has determined and certified that the value of the acquisition may exceed \$17,500, the maximum amount of the contract to be awarded under this resolution is set forth in the 2015 Municipal Budget; and

WHEREAS, funds are available for this purpose as certified by the Chief Financial Officer; and

WHEREAS, the listed individuals have submitted a proposal indicating they will provide the related services per their schedule of rates, as attached, or included in the agreement; and

WHEREAS, the listed individuals have completed and submitted a Business Entity Disclosure Certification, which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Surf City in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the award of contracts for "Professional Services without competitive bids and requires that the resolution and contracts for each professional be made available for public inspection.

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 following be appointed for the Borough of Surf City for a term of one (1) year, commencing October 1, 2015 and ending September 30, 2016.

Licensed Site Remediation Professional (LSRP) - DeMaio's Incorporated - Environmental Engineers

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2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached agreements with said professionals.
3. These contracts are without competitive bidding and is awarded as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized to practice a recognized profession.
4. This resolution takes effect October 1, 2015.
5. A certified copy of this resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to each professional .
6. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Roll Call Vote: Ayes - Hartney, F. Hodgson, 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 Mr. Klose, seconded by Mrs. Siciliano, the following resolution was adopted:

RESOLUTION 2015-123

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer be and is hereby authorized to proceed with releasing the amount of \$48,128.00. to Lincoln Financial, which represents the Borough of Surf City's LOSAP contribution for the 47 eligible Surf City Volunteer Fire Company and Emergency Medical Services members for the year 2014.

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.

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

Resolution authorizing the Mayor to send his fall letter to the Borough taxpayers. Upon a motion by Mr. Russell, seconded by Mr. Klose, the following resolution was adopted:

RESOLUTION 2015-124

NOW, THEREFORE, BE IT RESOLVED that authorization be and is hereby given to Mayor Connors to proceed with sending his fall letter to the Borough taxpayers.

Roll Call Vote: Ayes - Hartney, F. Hodgson, 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 Drug Recognition Expert Callout Program. Upon a motion by Mr. Russell, seconded by Mr. Hartney, the following resolution was adopted:

RESOLUTION 2015-125

RESOLUTION OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF SURF CITY AND THE COUNTY OF OCEAN FOR THE PROSECUTOR'S DRUG RECOGNITION EXPERT CALLOUT PROGRAM.

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, N.J.S.A. 40A:65-5 requires that such a contract be authorized by resolution; and

WHEREAS, it is the desire of the Borough of Surf City to authorize the execution of a Shared Services Agreement with the County of Ocean for the Prosecutor's Drug Recognition Expert Callout Program.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to enter into and execute a Shared Services Agreement with the County of Ocean for the Prosecutor's Drug Recognition Expert Callout Program, in accordance with the terms of said agreement attached hereto and made a part hereof as Schedule A.
2. A copy of this agreement shall be kept on file and be available for public inspection in the office of the Municipal Clerk.

3. A certified copy of this resolution shall be forwarded to the County of Ocean
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Roll Call Vote: Ayes - Hartney, F. Hodgson, 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. Klose, the following resolution was adopted:

RESOLUTION 2015-126

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, N.J.S.A. 40A:65-5 requires that such a contract be authorized by resolution; and

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

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 enter into and execute a Shared Services Agreement with the County of Ocean, for participation in a program called the Prosecutor's Office Driving While Intoxicated Enforcement Program, as more specifically set forth in the attached agreement.

2. A copy of this Agreement shall be kept on file and be available for public inspection at the office of the Municipal Clerk.

3. This agreement shall take effect on January 1, 2016 and shall remain in full force and effect through December 31, 2016.

4. A certified copy of this resolution shall be forwarded to:
The Clerk of the Ocean County Board of Chosen Freeholders
Ocean County Prosecutor's Office

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

Resolution authorizing the acquisition of military property for use by the Surf City Police Department. Upon a motion by Mr. Hartney, seconded by Mr. Russell, the resolution, attached hereto as Schedule 2, was adopted:

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

Resolution acknowledging the voluntary employment termination of J. Hadash. Upon a motion by Mr. Russell, seconded by Mr. Klose, the following resolution was adopted:

RESOLUTION 2015-128

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Surf City's hereby acknowledges and confirms the voluntary employment termination of John Hadash.

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

Resolution consenting to the proposed Water Quality Management Plan entitled: Ocean County Wastewater Management Plan. The contents of the plan pertaining to Surf City has been reviewed by Councilman Klose and the Borough Administrator. Upon a motion by Mr. Russell, seconded by Mr. Klose, the resolution, attached hereto as Schedule 3, was adopted:

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

Receipt of and discussion on the CY2015 Best Practice Inventory as prepared by the Chief Financial Officer and required by the State of New Jersey. Each member of the Governing Body has received and reviewed a copy of the inventory.

Reports:

Chief Financial Officer's report for the month of August, 2015.

Municipal Court report for the month of August, 2015.

Committee Reports:

Council President F. Hodgson - Finance and Sanitation provided a Sanitation and Recycling Report for the month of September. He also offered Resolution 2015-132, motion by Mr. Hartney seconded by Mr. Klose.

RESOLUTION 2015-132

NOW, THEREFORE, BE IT RESOLVED that David Pawlishak be and is hereby appointed Deputy Municipal Clerk for the purpose of handling any Election Duties necessary in the absence of the Municipal Clerk.

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

Council President Hodgson commented on the document shred event scheduled for this Saturday from 9 to 11am.

Councilman J. Russell - Public Property and Lifeguards provided a report on lifeguard and public property activities, he also motioned Resolution 2015-121, seconded by Mr. Klose.

RESOLUTION 2015-121

NOW, THEREFORE, BE IT RESOLVED that the seasonal/on-call appointment of the following lifeguard be and is hereby extended through September 13, 2015:

Kellie Gresham

BE IT FURTHER RESOLVED that following lifeguard be and is hereby extended to October 31, 2015 for the purpose of assisting with off-season preparatory work at the rate of \$11.00 per hour:

Eric Gilley

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

Councilman Wm. Hodgson - Police provided the Statistical Report of Operations for the month of September, 2015.

Councilwoman J. Siciliano - Streets and Roads reported on the bulkheads damaged by the nor-easter are being repaired by the Public Works. The Department is also preparing for the approaching winter

Councilman P. Hartney - Beaches and Environmental Councilman Hartney provided a report on the beach and replenishment project. He also reported that dune grass is available, the Police Department and Fire Company is hosting a trunk-or-treat. He also commented on issues, he has noticed are occurring, with notifications of bridge closures and work being performed.

Councilman J. Klose - Water/Sewer advised of the receipt of a hazard mitigation grant being received to raise the well heads and install emergency generators and motioned Resolution 2015-130, seconded by Mr. Hartney.

RESOLUTION 2015-130

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Surf City that authorization be and is hereby given to proceed with the necessary plans, specifications and bids for the raising of well heads and installation of emergency generators in accordance with the Hazard Mitigation Grant.

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

Comments from the Audience: None

Correspondence:

Action Required: None

No Action Required:

Resolutions received from the Township of Barnegat, the Borough of Beach Haven, the Township of Long Beach, the Township of Ocean, the County of Ocean and the Township of Woodland.

Comments from the Audience: None

Bill Resolution: Upon a motion by Mr. Russell, seconded by Mr. Klose, 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 -	\$ 36,931.80
Current -	2,186,526.48
Payroll Account -	229,342.60
Dog License Account -	2.40
Ice Cream Vendor Acct. -	.00
Escrow Release -	17,930.00
Tax Certificate Acct. -	<u>.00</u>
	\$2,470,733.28

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

Approved: Councilman Wm. Hodgson
Councilwoman Siciliano
Councilman Klose

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Dated: October 14, 2015

/s/ Leonard T. Connors, Jr., Mayor

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

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

Respectfully submitted,

MARY P. MADONNA, RMC/MMC/QPA/CPM
Municipal Clerk/Borough Administrator