

COUNCIL MEETING MINUTES

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

Mayor Connors called for approval of the minutes of the regular meeting held on March 11, 2015. Upon a motion by Mr. Russell, seconded by Mr. Klose, the minutes were approved as presented.

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

Public hearing and final adoption of Ordinance 2015-06, which was read by title only. Motion by Mr. F. Hodgson, seconded by Mr. Russell, and a vote in the affirmative, the public hearing was opened. After a brief explanation by Mayor Connors and 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. F. Hodgson, Ordinance 2015-06 was passed on second and final reading as follows:

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

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance, to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate, as an exception, to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Surf City in the County of Ocean finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a two (2%) percent increase in the budget for said year amounting to \$102,432.00 in excess of the increase in final appropriations, otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized, hereinabove, that is not appropriated, as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council, of the Borough of Surf City, in the County of Ocean , a majority of the full authorized membership of this governing body, affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Surf City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by three and one half (3.5 %) percent, amounting to \$179,256.00, and that the CY 2015 Municipal Budget for the Borough of Surf City be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized, hereinabove, that is not appropriated, as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance, as introduced, be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

SECTION II

All ordinances or parts of ordinances inconsistent herewith are 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.

SECTION IV

This ordinance shall take effect immediately after final passage, according to law.

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

Resolution allowing the Municipal Budget to be read by title only at the public hearing. Upon a motion by Mr. F. Hodgson, 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 delivered to the local library 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 - F. Hodgson, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None. Absent - Hartney.

Upon a motion by Mr. F. Hodgson, seconded by Mr. Russell, and a vote in the affirmative, the public hearing on the 2015 Municipal Budget was opened. With there being no comment from the audience, upon a motion by Mr. F. Hodgson, seconded by Mr. Russell, and a vote in the affirmative, the public hearing was closed.

Mayor Connors called for the adoption of the 2015 Municipal Budget. Upon a motion by Mr. F. Hodgson, seconded by Mr. Russell, the following resolution was adopted:

RESOLUTION TO ADOPT THE
2015 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 \$4,050,000.00 to be raised by taxation for Municipal purposes.

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

Mayor's recommendation for appointments to the Surf City Land Use Board of Jamie Pitner - Alternate #1 and Maurice Logue - Alternate #2. Upon a motion by Mr. Russell, seconded by Mrs. Siciliano, the following resolution was adopted:

RESOLUTION 2015-66

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that the following personnel appointments, as recommended by Mayor Connors, be and are hereby approved.

LAND USE BOARD

Alternate #1 - Jaime V. Pitner

Fill the unexpired 2 year term expiring on 12/31/15

Alternate #2 - Maurice A. Logue

Fill the unexpired 2 year term expiring on 12/31/16

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

Resolution authorizing the release of curb bonds posted by S. Costalos - 1408 Barnegat Avenue in the amount of \$3,530. and M. Immediate - 115 So. 3rd Street in the amount of \$3,600. Upon a motion by Mr. F. Hodgson, seconded by Mr. Russell, the following resolution was adopted:

RESOLUTION 2015-65

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:

S. Costalos - 1408 Barnegat Avenue in the amount of \$3,530.

M. Immediate - 115 So. 3rd Street in the amount of \$3,600.

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

Resolution approving the application for an on-premise merchandise raffle as submitted by the Surf City Volunteer Fire Co. # 1 for games to be held on July 21, 2015. 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. Klose, the following resolution was adopted:

RESOLUTION 2015-64

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that the application for an on-premise merchandise draw license as submitted by Surf City Volunteer Fire Company No. 1, ID#485-9-17286, for a raffle to be held on July 21, 2015 at the Fire House, be and is hereby approved and the Municipal Clerk is authorized to issue License RL 15-01

BE IT FURTHER RESOLVED that the Municipal fee for said license be and is hereby waived in accordance with Ordinance 95-4 of this Municipality.

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

Proclamation designating the week of April 12-18, 2015 as National Library Week. Upon a motion by Mr. Russell, seconded by Mr. Wm. Hodgson, the Proclamation, attached hereto as Schedule 1, was adopted:

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

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. F. Hodgson, seconded by Mr. Russell, the following resolution was adopted:

RESOLUTION 2015-63

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.

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

Resolution authorizing the sale of a vehicle and miscellaneous municipal items on Govdeals. Upon a motion by Mr. Wm. Hodgson, seconded by Mr. Klose, the resolution, attached hereto as Schedule 2, was adopted:

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

Resolution authorizing the execution of an amendment to the agreement with the Township of Long Beach for the supplying of water. Upon a motion by Mr. Klose, seconded by Mr. Russell, the following resolution was adopted:

RESOLUTION 2015-58

BE IT RESOLVED by the Borough Council of the Borough of Surf City that the Mayor and Clerk, be and, are hereby authorized and directed to execute contracts with the Township of Long Beach for the supplying of water to North Beach and setting forth the amount thereof.

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

Proclamation designating the month of May as Mental Health Month. Upon a motion by Mrs. Siciliano, seconded by Mr. Klose, the proclamation attached hereto as Schedule 3, was adopted:

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

Reports:

Chief Financial Officer's Report for the month of February, 2015
Municipal Court Report for the month of February, 2015

Committee Reports:

Council President F. Hodgson - Finance and Sanitation motioned resolution 2015-61, seconded by Mr. Klose.

RESOLUTION 2015-61

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:

Paul Budd - effective as of March 30, 2015 and terminating on September 30, 2015.

Matt Fishman - effective as of April 16, 2015 and terminating on September 30, 2015.

Terry Brennan - effective as of April 15, 2015 and terminating on September 30, 2015.

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

He also provided the Sanitation and Recycling Report for the month of March, 2015 and advised that the Sanitation Department is in good shape and ready to go. He also commented on problems we are experiencing with the new trash truck.

Councilman J. Russell - Public Property and Lifeguards provided a report on lifeguard and public property activities in preparation of the summer season. He also advised that the Memorial Day service will be held on May 23rd and motioned resolution 2015-69, seconded by Mr. Klose, as follows:

RESOLUTION 2015-69

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 repairs and reconstruction of the Tennis Courts and Public Works Facility.

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

In the absence of Councilman Hartney, he also motioned Resolution 2015-62, seconded by Mr. Klose.

RESOLUTION 2015-62

NOW, THEREFORE, BE IT RESOLVED that the following listed individuals are appointed as employees in the Bathing Beach Department, effective as of April 22, 2015, and shall terminate at midnight on September 7, 2015, at the corresponding hourly rate of pay.

Beach Badge booth/Boat Ramp attendants

MaryAnn Huzar - 4th year - \$8.98 per hour

Richard Huzar - 6th year - \$9.23 per hour

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

Councilman Wm. Hodgson - Police gave the Statistical Report of Operations for the month of March, 2015 and reported on the annual Easter egg hunt. He also motioned Resolution 2015-68, seconded by Mr. Klose.

Resolution 2015-68
Authorizing Disposal of Surplus Property

WHEREAS, the Borough of Surf City is the owner of certain surplus property, which is no longer needed for public use; and

WHEREAS, the Governing Body is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

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

- (1) The property, identified as tires, shall be sold to the Borough of Harvey Cedars for the amount of \$1.00 in accordance with N.J.S.A. 40A11-36.
- (2) The surplus property, as identified, shall be sold in an "as-is" condition without express or implied warranties.

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

Councilwoman J. Siciliano - Streets and Roads provided an update on the progress of the Long Beach Boulevard Reconstruction Project, which is currently commencing, and a much needed overlay on Sunset Avenue and Shore Avenue. She thanked Chief Collins for setting up the staging area and communicating with Earle Asphalt. It was also noted that they will be paving during the evening.

Councilman P. Hartney - Beaches and Environmental was absent

Councilman J. Klose - Water/Sewer provided a report that Well #6 is back in operation and all else is going well

Comments from the Audience: None

Correspondence:

Action Required:

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Correspondence from Scripture Union requesting permission to again hold their annual SuperKids program on the Surf City 11th Street beach from August 1-8, 2015. Upon a motion by Mr. Russell, seconded by Mr. Wm. Hodgson, the request was approved:

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

Correspondence from Douglas Dragon requesting the Municipality relocate a fire hydrant, which is currently located in front of his home. Discussion concerned the project and cost to be borne by the property owner and moving the hydrant to the east, due to the location of the utilities, with a recommendation that the Fire Chief be consulted regarding the location. Councilman Klose was asked to send a letter to Mr. Dragon regarding same.

Correspondence from the Long Beach Island Health Department advising of DEP required changes in the beach water quality sampling was acknowledged.

Correspondence from the Surf City Yacht Club requesting permission to again place their directional sign on the Barnegat Avenue median. Upon a motion by Mr. F. Hodgson, seconded by Mr. Russell, the request was approved:

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

Correspondence from Joseph Tront requesting an amendment to the Borough Ordinance regarding the limitation on the number of ice cream vendors, which would allow him to operate in Surf City. Discussion ensued regarding taking his request into consideration for next year and possibly changing the ordinance to provide for a bid system.

Correspondence from St. Francis Center advising of their scope of service and requesting approval of their annual donation was referred to the Finance Department.

Note from Richard Jeffries and a copy of 1965 newspaper article regarding the Mayor sparked brief discussion and reminiscing.

No Action Required:

Resolution received from the Borough of Harvey Cedars, the Township of Long Beach, the County of Ocean and the Borough of Ocean Gate.

Comments from the Audience: None

Council President Hodgson commented briefly on the 2015 Budget, adopted this evening, noting the slight tax increase and no bonded indebtedness. We are in good shape!

Bill Resolution: Upon a motion by Mrs. Siciliano, 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 -	\$ 85,556.13
Current -	2,341,137.88
Payroll Account -	207,236.97
Dog License Account -	10.20
Ice Cream Vendor Acct. -	.00
Escrow Release -	7,130.00
Tax Certificate Acct. -	<u>.00</u>
	\$ 2,641,071.18

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

Approved: Councilman Klose
Councilman Russell
Councilwoman Siciliano

Dated: April 15, 2015

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

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

With there being 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,

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