

COUNCIL MEETING MINUTES

January 7, 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 December 25, 2014 issue of the Asbury Park Press.

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 and Mayor Connors.

Introduction and first reading of Ordinance 2015-01, which was read by title only, as follows:

“AN ORDINANCE AMENDING ORDINANCE 2010-08 AND ORDINANCE 2014-04, FIXING AND DETERMINING THE ANNUAL BASE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY.”

and moved that same be given its first reading. Upon a motion by Mr. F. Hodgson, seconded by Mr. Russell, Ordinance 2015-01 was introduced and passed on first reading and will be considered for final passage, after a public hearing, to be held on February 11, 2015.

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

Introduction and first reading of Ordinance 2015-02, 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 3 PERTAINS TO "PERSONNEL POLICIES"

and moved that same be given its first reading. Upon a motion by Mr. F. Hodgson, seconded by Mr. Russell, Ordinance 2015-02 was introduced and passed on first reading and will be considered for final passage, after a public hearing, to be held on February 11, 2015.

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

Mayor Connors called for approval of the minutes of the regular meeting held on December 10, 2015. Upon a motion by Mr. F. Hodgson, seconded by Mr. Hartney, the minutes were approved as presented.

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 Prosecutors' Program for traffic safety, formerly known as F.A.S.T. Upon a motion by Mr. Wm. Hodgson, seconded by Mr. Klose, the following resolution was adopted:

RESOLUTION 2015-32

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 PROSECUTORS' 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 traffic safety program formerly known as F.A.S.T.

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 Prosecutors Program for the traffic safety program formerly known as F.A.S.T. , 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

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

Resolution approving the Emergency Management Council Ledger for the year 2015. Upon a motion by Mr. Klose, seconded by Mr. Hartney, the following resolution was adopted:

RESOLUTION 2015-27

NOW, THEREFORE, BE IT RESOLVED that the Emergency Management Council Ledger, as attached hereto, be and is hereby approved and the Emergency Management Coordinator be and is hereby authorized to execute same.

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

Resolution authorizing the Tax Assessor and/or Municipal Attorney to act as agent for the Municipality in filing petitions of appeal. Upon a motion by Mr. F. Hodgson, seconded by Mr. Klose, the following resolution was adopted:

RESOLUTION 2015-28

WHEREAS, from time to time, the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical errors, in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year or a property becomes subject to a roll-back assessment;

WHEREAS, the Governing Body of the Taxing District of the Borough of Surf City is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected or a roll-back assessment not applied, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS, the method for correcting such errors is to file a Petition of Appeal or Complaint with the Ocean County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Taxing District of the Borough of Surf City, that the Tax Assessor or Municipal Attorney is hereby authorized to act as the agent for the taxing district during the year of 2015 and file a Petition of Appeal or Complaint with the Ocean County Board of Taxation to correct such assessments to the proper value and that a copy of any Petition of Appeal or Complaint filed with the Ocean County Board of Taxation under this Resolution, be filed with the Municipal Clerk.

BE IT FURTHER RESOLVED that the Tax Assessor or Municipal Attorney is hereby authorized to execute stipulations of settlement on any tax appeal or complaint filed by the taxing district or by a taxpayer in the tax year 2015; and

That a certified copy of this Resolution be forwarded to the Ocean County Board of Taxation with any such Petition of Appeal.

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 the Schedule "C" program. Upon a motion by Mr. Wm. Hodgson, seconded by Mr. Klose, the following resolution was adopted:

RESOLUTION 2015-26

WHEREAS, the County of Ocean has created and established a program to assist municipalities in the repair and maintenance of municipal streets in addition to providing certain materials and supplies in connection therewith; and

WHEREAS, N.J.S.A. 40A:65-1 et seq., , authorizes local units to agree to provide services jointly by contract, when approved by resolution in accordance with N.J.S.A.40A:65-5 et seq. ; and

WHEREAS, the Borough of Surf City wishes to enter into an agreement with the County of Ocean to provide certain repair, maintenance services, road overlay, materials and supplies, not to exceed the total sum of \$365,000.00, to be disbursed as follows:

Road Department	\$350,000.
Engineering Department	\$ 15,000.
Vehicle Services Department	\$ 00.

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 Joint Services Agreement with the County of Ocean for the provision of services in the Borough of Surf City 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 January 1, 2015 and shall remain in full force and effect through December 31, 2015. Sufficient funds have been appropriated and are available for this purpose in the current municipal budget.

4. A certified copy of this resolution shall be forwarded to:
The Clerk of the Ocean County Board of Chosen Freeholders
Ocean County Road Department
Ocean County Department of Finance

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

Resolution approving payment of the Department of Environmental Protection water allocation permit fee in the amount of \$7,235.00. Upon a motion by Mr. Klose, seconded by Mr. Russell, the following resolution was adopted:

RESOLUTION 2015-33

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that the authorization be and is hereby given to proceed with payment of the annual DEP Environmental Regulation - Water Allocation Permit in the amount of \$7,235.00.

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

Resolution authorizing the execution of a one year agreement with the Associated Humane Society for animal control services. There is no increase in the cost of services for 2015. Upon a motion by Mr. Russell, seconded by Mrs. Siciliano, the following resolution was adopted:

RESOLUTION 2015-29

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that Mayor Connors be and is hereby authorized to execute the attached 1 year agreement with the Associated Humane Society for animal control services for the period from January 1, 2015 to December 31, 2015.

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

Resolution approving application for membership in the Surf City Volunteer Fire Co. as submitted by Paul E. Hoover for Regular Probationary Membership. 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 2015-31

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 - Paul Edward Hoover

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

Resolution approving the Cash Management Plan for the year 2015. Upon a motion by Mr. Wm. Hodgson, seconded by Mr. Klose, the following resolution was adopted:

RESOLUTION 2015-25

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that the attached Cash Management Plan of the Borough of Surf City be and is hereby adopted for the year 2015.

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

Resolution authorizing the release of a curb bond as posted by M. Baumann – 109 N. 3rd Street in the amount of \$4,200. Upon a motion by Mr. Hartney, seconded by Mr. Russell, the following resolution was adopted:

RESOLUTION 2015-30

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:

M. Baumann - 109 N. 3rd Street in the amount of \$4,200.

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

Resolution approving appropriation reserve transfers. Upon a motion by Mr. Klose, seconded by Mr. Hartney, the following resolution was adopted:

RESOLUTION 2015-34

WHEREAS, the calendar date of this Resolution is within the last two months of the calendar year 2014 and the first three months of the calendar year 2015; and

WHEREAS, R.S. 40A:4-58 provides for making transfers between budget appropriation accounts during this five month period starting November 1st;

NOW, THEREFORE, BE IT RESOLVED that the following transfers be and they are hereby made between appropriation reserve accounts in the 2014 Municipal Budget.

Current Fund

<u>Amount</u>	<u>From</u>	<u>To</u>
\$ 500.00	Gasoline	Electricity
\$1,500.00	Gasoline	Telephone
\$1,500.00	Gasoline	Natural Gas

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

Resolution authorizing the Borough Attorney to execute stipulations of settlement in the matter of the Surf City Yacht Club tax appeal. Upon a motion by Mr. F. Hodgson, seconded by Mr. Russell, the resolution attached hereto as Schedule 1, was adopted:

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

Reports:

Chief Financial Officer's Report for the Month of November, 2014
Municipal Court Report for the Month of November, 2014

Comments from the Audience: None

Correspondence:

Action Required:

Correspondence from the Surf City Yacht Club requesting a continued advertisement in their annual yearbook. Upon a motion by Mr. Klose, seconded by Mr. Wm. Hodgson, the request was approved, with it being noted, that we will continue with the same advertisement as last year.

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

Correspondence from Kim Cassidy requesting permission to hold the third annual "Get LBI Running 5K Run/Walk" in support of the Surf City Fire Company on Saturday, May 16, 2015. Councilman Russell and Councilman Hartney must recuse themselves from this item of business in accordance with State Statutes. It was noted that this event has brought a substantial donation to the fire company, therefore, upon a motion by Mr. F. Hodgson, seconded by Mr. Klose, the request was approved.

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

Committee Reports:

Councilman F. Hodgson, Chairman of Sanitation and Finance gave the Sanitation and Recycling Report for the month of December, 2014. The trash trucks encountered some minor difficulties, which have been fixed. He thanked everyone for their confidence in voting for him and for the confidence of the Governing Body. He also wished everyone a "Happy New Year".

Councilman Russell, Chairman of Public Property and Lifeguards provided a report that both lifeguard garages have been re-roofed and the parks are in hibernation.

Councilman Wm. Hodgson, Chairman of Police gave the Statistical Report of Operations for the month of December and year 2014.

Councilwoman Siciliano, Chairwoman of Streets and Roads provided a follow up on the complaint received from Mrs. Brauer of 5th Street. She also reported on the job well done by the public works during the recent snow.

Councilman Hartney, Chairman of Beaches provided a report on the beach project and fire company operations.

Councilman Klose, Chairman of Water/Sewer provided a report that all is doing well and that we will be commencing work on Well #6 within the next 2 weeks.

No Action Required:

Resolution received from the Township of Barnegat and the Township of Long Beach.

Comments from the Audience: None

Bill Resolution: Upon a motion by Mr. Klose, seconded by Mr. Hartney, 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 -	\$ 113,627.11
Current -	700,761.93
Payroll Account -	190,924.05
Dog License Account -	0.00
Ice Cream Vendor Acct. -	.00
Escrow Release -	4,200.00
Tax Certificate Acct. -	.00
	<hr/>
	\$1,009,513.09

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

Approved: Councilman Russell
Councilman Hartney
Councilwoman Siciliano

Dated: January 7, 2015

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

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

There was brief discussion regarding the ordinances proposed by the Ocean County Prosecutors' Office as same pertain to pawn shops and scrap metal dealers.

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

Respectfully submitted,

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

