

COUNCIL MEETING MINUTES

November 9, 2016
Page 115.01

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 October 12, 2016. Upon a motion by Mr. Klose, seconded by Mr. Russell, 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 2016-08, 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. 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. Hartney, seconded by Mr. Klose, Ordinance 2016-08 was passed on second and final reading 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"

The Mayor and Borough Council of the Borough of Surf City do ordain:

SECTION I

Sections 19-1.6(e) as same pertains to *Fees*, be and is hereby amended to read as follows:

19-1.6(c) Thirty (\$30.00) dollars per person, per season, provided that application is made to the proper authorities on or before May 31 of the bathing season.

19-1.6(d) Forty (\$40.00) dollars per person, per season in the event that application is made after the 31st day of May of the bathing season.

November 9, 2016

19-1.6(e) Twenty (\$20.00) dollars per person, per week, or any fractional part thereof, of the bathing season.

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All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.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 adoption according to law.

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

Introduction and first reading of Ordinance 2016-09, which was read by title only, as follows:

AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY, INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE BOROUGH OF SURF CITY, OCEAN COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF.

and moved that same be given its first reading after brief discussion regarding certain improvements. Upon a motion by Mr. Klose, seconded by Mr. Russell, Ordinance 2016-09 was introduced and passed on first reading and will be considered for final passage, after a public hearing, to be held on December 14, 2016.

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 Prosecutors' Drug Recognition Expert Callout Program. Upon a motion by Mr. Wm. Hodgson, seconded by Mr. Hartney, the following resolution was adopted:

RESOLUTION 2016-138

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' 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 Prosecutors' 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 Prosecutors 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

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 Prosecutors' Office Driving While Intoxicated Enforcement Program. Upon a motion by Mr. Wm. Hodgson, seconded by Mr. Hartney, the following resolution was adopted:

RESOLUTION 2016-139

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

November 9, 2016

Page 118.04

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 Prosecutors' 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, 2017 and shall remain in full force and effect through December 31, 2017.

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

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

Resolution authorizing release of a curb bond posted by Karen and Nathan Fink - 230 N. 19th Street in the amount of \$3,800, Judy Hoechner - 27 N. 4th Street in the amount of \$3,000 and Robert Taylor - 110 N. 21st Street in the amount of \$4,250. Upon a motion by Mrs. Siciliano, seconded by Mr. Russell, the following resolution was adopted:

RESOLUTION 2016-137

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;

November 9, 2016

Page 119.05

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:

Karen and Nathan Fink - 230 N. 19th Street in the amount of \$3,800.

Judy Hoechner - 27 N. 4th Street in the amount of \$3,000.

Robert Taylor - 110 N. 21st Street in the amount of \$4,250.

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

Resolution requesting approval to include in the budget an item of revenue and appropriation in the amount of \$1,301.99 for funds received from the Body Armor Replacement Fund. Upon a motion by Mr. Klose, seconded by Mr. Wm. Hodgson, the following resolution was adopted:

2016-136

RESOLUTION REQUESTING APPROVAL OF ITEMS OF
REVENUE AND APPROPRIATION (N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Surf City in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$1,301.99, which item is now available from the Body Armor Replacement Fund in the amount of \$1,301.99; and

BE IT FURTHER RESOLVED that the like sum of \$1,301.99 is hereby appropriated under the caption "Body Armor Replacement Fund "; and

BE IT FURTHER RESOLVED that the above is the result of funds from the New Jersey Department of Criminal Justice in the amount of \$1,301.99; and

Roll Call Vote: Ayes - Hadash, Hartney, Wm. Hodgson, Klose, Russell, Siciliano. Nays - None.
November 9, 2016
Page 120.06

Resolution authorizing the application for a grant from the State of New Jersey for reimbursement of the non-federal cost share from Superstorm Sandy. Upon a motion by Mr. Hartney, seconded

by Mrs. Siciliano, the resolution attached hereto as Schedule 1, was adopted:

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

Reports:

Chief Financial Officer's Report for the month of September, 2016.

Municipal Court Report for the month of September, 2016

Committee Reports:

Councilman Hadash, Chairman of Sanitation advised that he did not have a Sanitation and Recycling Report for the month of October due to vacations. He also extended congratulations to Councilwoman Siciliano and Councilman Hartney on their re-election and thanked all for his re-election.

Councilman Russell, Chairman of Public Property and Lifeguards extended congratulations to Councilwoman Siciliano, Councilman Hartney and Councilman Hadash on their re-election. He also reported on the improvements to the Borough Hall and planned improvement to the Fire House. He motioned for adoption, Resolution 2016-140, seconded by Mr. Klose.

After brief discussion, Mr. Russell rescinded his motion and Mr. Klose rescinded his second on the resolution 2016-140. Mr. Wm. Hodgson motioned resolution 2016-140, seconded by Mr. Hadash with the following vote:

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 Community Development Block Grant ADA Improvements to access at the Surf City Firehouse.

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

Councilman Wm. Hodgson, Chairman of Police gave the Statistical Report of Operations for the month of October, 2016.

Councilwoman Siciliano, Chairwoman of Streets and Roads reported on the progress on pothole repairs. She also advised that she will be hosting a meeting with the DEP and other Municipal representatives on the nuisance flooding issue and the State has lifted the stay on DOT Grant projects. She also motioned for adoption, Resolution 2016-135, seconded by Mr. Russell.

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

November 9, 2016

Page 121.07

and bids for the reconstruction and resurfacing of a portion of Barnegat Avenue - Phase 4 from approximately North 8th to North 4th Streets.

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

Councilwoman Siciliano commented on her re-election, her pride in Surf City and ability to continue to work with this Governing Body.

Councilman Hartney, Chairman of Beaches provided a report on the sale of Holiday beach badges. He also expressed gratitude on his re-election.

Councilman Klose, Chairman of Water/Sewer advised that water and sewer is doing well and commented that we are lucky to have such fine people on the Council in Surf City.

Comments from the Audience:

Rosemary Fallar expressed thanks to Surf City for picking up the sofa she left on the curb.

Correspondence:

Action Required:

Correspondence from Linda Smythe-Snyder requesting permission to purchase a memorial bench for placement on the bay at N. 2nd Street in honor of her parents Ann and Harry Smythe. 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 Kathy Bowe requesting permission to purchase a memorial bench for placement on the bay at N. 16th Street in honor of her father Donald Seiter. 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 County of Ocean.

Comments from the Audience: None

Bill Resolution: Upon a motion by Mr. Russell, seconded by Mr. Hartney, the following resolution was adopted:

November 9, 2016

Page 122.08

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 -

\$ 196,378.31

Current -		2,255,635.60
Payroll Account -	159,736.97	
Dog License Account -		4.80
Ice Cream Vendor Acct. -	.00	
Escrow Release -	11,050.00	
Tax Certificate Acct. -	<u>32,905.38</u>	
	\$2,655,711.06	

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 Hodgson
Councilman Russell

Dated: November 12, 2016

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

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

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

Respectfully submitted,

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