

**Borough of Surf City
Governing Body Meeting Minutes**

Mayor F. Hodgson called the meeting to order at 7:30 pm, reading the following statement: 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 10, 2019 issue of the Beach Haven Times.

Roll call reflected the following members present: Councilman John G. Hadash, Councilman Peter M. Hartney, Councilman William D. Hodgson, Council President John H. Klose, Councilman James B. Russell, Councilwoman Jaqueline L. Siciliano & Mayor Francis R. Hodgson.

Mayor F. Hodgson requested all present to join him in a salute to the Flag.

Councilman Russell moved to approve the regular minutes from the October 9, 2019 meeting. Councilman Hartney seconded the motion. With a vote in the affirmative, the minutes were approved. Roll call reflected the following votes in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to approve the introduction and title reading of Ordinance 2019-17. Councilman President Klose seconded the motion. With a vote in affirmative Ordinance 2019-17 was approved as introduced, as follows.

AN ORDINANCE AMENDING, REVISING, AND/OR REPEALING ORDINANCES ENTITLED
“REVISED GENERAL ORDINANCES OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN,
STATE OF NEW JERSEY, 2000” SECTIONS OF CHAPTER 30 ENTITLED ZONING. SPECIFICALLY,
SECTION 30-3 DEFINITIONS; SECTION 30-5.2(B) PRINCIPAL USES AND BUILDINGS
PERMITTED; SECTION 30-5.6(F) OFF STREET PARKING; SECTION 30-6.4(C)(F) BUILDING AREA
AND DIMENSIONS; SECTION 30-7.4(D)(E) BUILDING AREA; DIMENSIONS; AND SECTION 30-
11.2(D)(H)(I) BUILDING AREA AND DIMENSIONS; AND SECTION 30-11.5(C)4 OUTDOOR
RECREATIONAL FIRES AND DEVICES.

Roll call reflected the following votes in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Russell moved to approve the introduction and title reading of Ordinance 2019-18. Councilman President Klose seconded the motion. With a vote in affirmative Ordinance 2019-18 was approved as introduced, 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”
CHAPTER 27 SECTION 2.10 EXPIRATION OF VARIANCE AND SECTION 2.18 FEES.

Roll call reflected the following votes in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilwoman Siciliano moved to approve the introduction and title reading of Ordinance 2019-19. Councilman President Klose seconded the motion. With a vote in affirmative Ordinance 2019-19 was approved as introduced, as follows.

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2018-15 ADOPTED ON DECEMBER 12, 2018, PROVIDING FOR THE REPAIR AND RESURFACING OF VARIOUS ROADS AND RELATED EXPENSES FOR THE BOROUGH OF SURF CITY, IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$150,000 FOR A TOTAL APPROPRIATION OF \$650,000, TO INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$142,500 FOR A TOTAL DEBT AUTHORIZATION OF \$617,500, AND TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF SURF CITY, IN THE COUNTY OF OCEAN, NEW JERSEY.

Roll call reflected the following votes in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to open the public hearing for Ordinance 2019-15. Council President Klose seconded the motion. With a vote in the affirmative, the public hearing was open. Roll call reflected the following votes in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none. There were no comments. Councilman Russell moved to close public comment. Councilman Hartney seconded the motion. With a vote in affirmative, the public hearing was closed. Roll call reflected the following votes in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to approve the final adoption of Ordinance 2019-15. Councilman Russell seconded the motion. With a vote in the affirmative, Ordinance 2019-15 was adopted, as follows.

WHEREAS, the Borough of Surf City is the owner of property known and designated as Block 31, Lot 22 as shown on the tax map of the Borough of Surf City; and

WHEREAS, said property is an undersized lot; and

WHEREAS, N.J.S.A. 40A:12-13.2 requires the municipality to first offer said property to the adjoining property owner(s) for purchase; and

WHEREAS, the municipality has established a fair market value for said property at \$39,000.00; and

WHEREAS, it is the desire of the governing body to sell said property; and

WHEREAS, the adjoining property owner(s) were duly notified of the asking price of the municipality for said property and said property owner(s) were advised to present their bid(s) to the municipality for the right to purchase said property; and

WHEREAS, the adjoining property owner as set forth on Schedule "A" has agreed to purchase the property from the Borough for the sum as set forth therein; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said transfers of property by ordinance.

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

SECTION 1. The in accordance with the requirements of N.J.S.A. 40A:12-13(b)(5), the governing body does hereby authorize the sale of property to the purchaser as set forth on Schedule "A", said property being an undersized lot, and said purchaser being an adjoining property owner submitting the highest bid for said property, which bid was not less than the fair market value of said property.

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents to transfer title to said property to the purchaser and for the sum as set forth on Schedule "A", said purchaser shall be responsible for the payment of the municipality's cost in conveying said property (i.e. attorney's fees in the amount of \$400.00).

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

Roll call vote reflected the following in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell, & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to approve Resolution 2019-133. Council President Klose seconded the motion. With a vote in the affirmative, the following resolution was approved.

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 ROV Evaluations by Mumford-Bjorkman Associates, Inc. for both water tanks in the approximate amount of \$7,000.00.

Roll call vote reflected the following in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell, & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Russell moved to approve Resolution 2019-131. Council President Klose seconded the motion. With a vote in the affirmative, the following resolution was approved.

WHEREAS, certain transfers of funds for various 2019 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40a:4-58 provides for the transfer of appropriations with an excess over the amount deemed necessary to fulfill those appropriations obligations; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Surf City that the Chief Financial Officer shall and is hereby authorized to make transfers between appropriation accounts of the 2019 Municipal Budget, as follows.

<u>Amount</u>	<u>From</u>	<u>To</u>
\$3,500.00	Solid Waste Collection S&W	Construction Official S&W
\$2,000.00	Solid Waste Collection S&W	Other Code Enforcement Functions S&W
\$1,000.00	Solid Waste Collection S&W	Zoning Officer S&W
\$10,000.00	Solid Waste Collection S&W	Vehicle Maintenance - Other

Roll call vote reflected the following in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell, & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to approve Resolution 2019-132. Council President Klose seconded the motion. With a vote in the affirmative, the following resolution was approved.

WHEREAS, the Borough Council of Surf City recognizes the threat that natural hazards posed to people and property within the Borough; and

WHEREAS, the Borough of Surf City has prepared a multi-hazard mitigation plan, hereby known as the 2019 Multi-Jurisdictional All Hazard Mitigation Plan for Ocean County in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the 2019 Multi-Jurisdictional All Hazard Mitigation Plan for Ocean County identifies mitigation goal and actions to reduce or eliminate long-term risk to people and property with the Borough of Surf City from the impacts of future hazards and disasters; and

WHEREAS, adoption by the Borough of Surf City demonstrates commitment to hazard mitigation and achieving the goals outlined in the 2019 Multi-Jurisdictional All Hazard Mitigation Plan for Ocean County; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of Surf City, County of Ocean, State of New Jersey adopts the 2019 Multi-Jurisdictional All Hazard Mitigation Plan for Ocean County.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Ocean County Sheriff's Office.

Roll call vote reflected the following in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell, & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilwoman Siciliano moved to approve Resolution 2019-129. Council President Klose seconded the motion. With a vote in the affirmative, the following resolution was approved.

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:

Kenneth Formica of 32 N. 1st Street in the amount of \$3,600.

Roll call vote reflected the following in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell, & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Council President Klose acknowledged receipt of the Best Practices Inventory (BPI). Councilman Russell seconded the motion. With a vote in the affirmative, the BPI was acknowledged.

Roll call vote reflected the following in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell, & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hadash gave the sanitation report for the month of October. He moved Resolution 2019-128. Councilman Wm. Hodgson seconded the motion. With a vote in the affirmative, the following resolution was approved.

NOW, THEREFORE, BE IT RESOLVED that Connor Scully, Joseph Frazier and Franklin Simkins be hereby appointed as part time laborers for the Department of Public Works. at the rate of \$12.00 per hour, without benefits, effective as of October 18, 2019.

Roll call vote reflected the following in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell, & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hadash congratulated Mayor F. Hodgson, Councilwoman Siciliano and Councilman Hartney on their success in the recent election and wished all a Happy Thanksgiving.

Councilman Russell reported that all of the lifeguard equipment was cleaned and ready for next year. The lifeguards will be changing their flag system and hosting a Lifeguard in Training tournament next season. All of the playgrounds and parks have been winterized. He also expressed his appreciation for the newly donated garage by a generous resident in town. The

garage has been rested on the foundation and the slab will be poured soon. Councilman Russell also congratulated Mayor F. Hodgson, Councilwoman Siciliano and Councilman Hartney on their success in the recent election and wished all a Happy Thanksgiving.

Councilman Wm. Hodgson gave the statistical report for the Police Department. The annual Trunk or Treat event produced a great turnout. He also reminded everyone that the Police Department will accommodate winter and emergency house checks. Applications are available at Borough Hall. Councilman Wm. Hodgson announced that the police officers would be participating in Movember, also known as, No Shave November. It is a fundraising effort for cancer.

Councilwoman Siciliano reported that the Department of Public Works has continued to make the necessary repairs to the Borough streets. They are preparing for winter with plows and salt. She also thanked all of our nations veterans for serving our country. Councilwoman Siciliano thanked everyone who came out to vote, commenting that it is a privilege to serve this community.

Councilman Hartney announced that 181 Holiday Preseason Badges have been sold to date. There are 519 left for sale. He also commented on the great sandbars off the Borough beaches and gave a statistical report for the fire company. Councilman Hartney congratulated Mayor F. Hodgson and Councilwoman Siciliano for their success in the recent election.

Councilman Klose reported that all was fine in water and sewer.

Mayor F. Hodgson read a letter that was received, late today, from the Surf City Fire Company inviting all to attend the first annual tree lighting. Light refreshments and crafts to start at 6:00 pm with the tree lighting to commence at 7:00 pm.

Board Members were in attendance from the Long Beach Island Consolidated School District to present information about the upcoming referendum for a \$7.68 million bond for reparations to the LBI School. The Board President, Bill Fenimore, stated that this presentation was available on the district website. He also stated that there was a quorum present from the School Board. Mr. Fenimore went on to announce that it would cost each property owner \$28 per year with an annual debt service of \$380,000. There would be a \$400,000 a year savings by closing the EJ School in Surf City. The State of New Jersey would be obligated to pay back thirty four percent of the bond. He announced forty percent was the max amount the State can give back any district. Mr. Fenimore gave a breakdown of figures for the improvements. He gave a timeline for past mile markers and future goals for the proposed project.

Councilman Wm. Hodgson questioned the proposed classroom electric heating and cooling systems. Each classroom is proposed to be outfitted with separate electric units. Mr. Fenimore agreed to look into the possibility of more energy efficient options.

Mayor F. Hodgson questioned the breakdown of cost per household. Mr. Fenimore explained that the cost was an estimated average to cover all of the towns in the district.

Mayor F. Hodgson also questioned the fate of the Surf City school. Mr. Fenimore replied that this referendum was to repair the LBI School. Mayor F. Hodgson quoted the superintendent, Dr. Peter Kopack, from a published news article saying that the district had to either add students or consolidate. He went on to say that the taxpayers pay eighty percent for students to attend school on the mainland. The Mayor asked if it could be agreed that we only need one school. Mr. Fenimore stated that a resolution was passed on August 28th to show that all students could go to one school. Dr. Kopack elaborated that plans show that all of the students from the EJ School could attend the LBI School with the same services and classroom sizes.

Mayor F. Hodgson made an official announcement; if Surf City were to acquire the property it would remain, in perpetuity, for Borough and recreational use. He gave various reasons that the EJ School site would not accommodate residential development, including the fact there is a County owned pipe that that would cost over a million dollars to move.

Mayor F. Hodgson also commented on some heresy that Surf City was “greedy”. To contend those comments, he stated that Surf City could have sold the EJ School land for residential development and benefited from tax, water and sewer revenues. The Borough also plows the EJ School every snow event. The LBI School has paid upwards of seventeen thousand dollars for the same. He further stated that the Borough accommodated a new road opening for their convenience and provided water and sewer to the Surf City school, at no additional costs.

The Mayor told the audience that the Borough Clerk had recently requested information from the district business administrator, Chris Kelly, and was told to fill out an OPRA request. And other towns had to do the same, only to receive redacted reports. He questioned the money saved on those type of practices. The Mayor also remarked that the district had spent \$475,000 on plans and professional fees for a school that was never built. It was also reported to him that the Chief Administrative Officer was given the authority to pay the bills without the Board’s approval. Mr. Fenimore explained that a threshold was set for emergency situations.

Council President Klose questioned if the water and heating was replaced. He mentioned the bill was reportedly over \$400,000.

Councilman Hartney had asked if the recent demographic study included choice students.

Mayor F. Hodgson pointed out that if the EJ School site was sold to the Borough of Surf City for the standing offer of \$2.5 million and if Ship Bottom offered the same, more than half of the money would be raised to alleviate the bond. The Mayor had asked what happened to the \$475,000 in architectural plans and fees. He also indicated that the savings of \$450,000 per year by closing the Surf City school was under estimated. Mr. Fenimore reasoned that they must go by the referendum process to receive State aid.

Councilman Hartney noted that the State had taken over \$400,000 in capital money from the district. He had wanted to know why that had happened. Mr. Fenimore replied that Governor Christie had signed an executive order to recover unearmarked funds from school districts. He

said that they are saving money on repairs having acquired two new school buses. Councilman Hartney confirmed that all future funds will be earmarked to prevent future losses.

Councilwoman Siciliano verified that the presentation was available on the school website. Mr. Fenimore confirmed that it was and that frequently asked questions from the town hall meetings would be available soon.

Mayor F. Hodgson commented on a recent survey that questioned his company's builders license, to which had nothing to do with school business. He maintained that the LBI students will have a better education if the choice student program were to end.

Councilman Wm. Hodgson had asked if the bond could be paid in full before the maturation date. He also asked the Board to look into the cost of the current electric bills, out of concern to the proposed heating and cooling system.

Both the LBI and Surf City Taxpayers Associations were given the opportunity to comment.

Ray Ciccone, of Surf City, had asked if the district could sell assets to pay the debt service. He had commented that it was strange not to use assets to pay debt. He commended Mayor F. Hodgson for writing the book on fiscal responsibility. Mr. Fenimore remarked that the district operates in a deficit.

John Gutbrod, of Surf City, had asked about the estimated students in the district. He wanted to point out that the numbers for enrollment were not going to increase.

Georgene Hartman, a Board member representing Long Beach Township, explained the discrepancy for the cost per household. The Mayor replied that he was concerned with the totals for the Surf City taxpayers. Mrs. Hartman declared she refused to take part in further conversation. Mayor F. Hodgson answered that the district was eighth in the State and first in the County for the cost per student, while operating on a deficit.

Collette Southwick, a Board member representing Long Beach Township, stated her annual cost share for the school.

Jim Binder, of Surf City, asked about the outcomes of a passing or failing referendum. Mr. Fenimore said the Board can present the referendum two more times over the course of three years and then the State would take over.

Stacey Fuessinger, of Surf City, had inquired about a certificate of occupancy over current improvements.

Mr. Fenimore stated the business administrator did not provide timely public notice for bids for the piling repairs, resulting in a much higher cost to the taxpayers.

John Blankenmeyer, of Surf City, wanted to know how many pilings were being repaired. He also wanted to know the lifespan of the bond in connection to the useful life of the proposed improvements. Mr. Fenimore promised an answer would be provided. The proposed project would take three to four years, if only completed in the summer months. Mr. Blankenmeyer

pointed out that budget costs are associated with timelines and asked if the phases of construction had been defined.

Susan Gilbert, of Surf City, remembered when the building had shifted and doors would not open.

Georgene Hartman stated that there had been three additions to the building.

Sarah Colavita, of Barnegat Township, wanted to know if the children would still have a media center if both schools were combined. Dr. Kopack explained that a media room could also be used as a homeroom.

Councilwoman Siciliano declared that there was an \$820,000 annual shortfall due to the Choice Program. She asked if there was discussion to phase that program out.

Mayor F. Hodgson asked the Board if they realized that adding forty-two students from out of the district was an additional expense to the taxpayers. Bill Hutson, of the LBI Taxpayers Association, interjected that over all of the years of the program, forty students have costed the district an entirely new building.

Kristin Power, of Surf City, asked if the Board was setting the students up for success or just considering fiscal responsibility. She gave example of what she considered to be innovative spending. Councilwoman Siciliano explained that public money is spent differently than private money.

Marilyn Upton, of Harvey Cedars, came for more information. She criticized that there were no microphones.

Mayor F. Hodgson called for any further comments. There were no further comments from the public.

Council President Klose moved to pay the bills. Councilman Hartney seconded the motion. With a vote in the affirmative, the bills were to be paid as scheduled by resolution, as follows.

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	\$183,006.58
Current	\$2,514,101.43
Payroll Account	\$214,778.93
Dog License Account	\$4.20
Ice Cream Vendor Account	\$0.00
Escrow Release	\$3,600.00
Tax Certificate Account	\$0.00

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

Approved by: Councilwoman Siciliano
Council President Klose
Councilman Russell

Dated: November 13, 2019

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

Roll call reflected the following votes in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell & Mrs. Siciliano. Nays: none. Abstain: none. Absent: none

Councilman Hartney moved to adjourn the meeting. Councilman Russell seconded the motion. With a vote in the affirmative, the meeting was adjourned.

Roll call reflected the following votes in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Klose, Mr. Russell & Mrs. Siciliano. Nays: none. Abstain: none. Absent: none

Respectfully submitted,



Christine Hannemann, RMC/CMR/QPA
Borough Clerk/Administrator