

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

Mayor F. Hodgson called the meeting to order, 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 30, 2020 issue of the Beach Haven Times. Due to the COVID-19 pandemic, this meeting took place on a remote platform called GoTo Meeting during the regularly scheduled time.

Roll call reflected the following members present: Councilman John G. Hadash, Councilman Peter Hartney, Councilman William D. Hodgson, Councilman James B. Russell, Councilwoman Jaqueline L. Siciliano & Mayor Francis R. Hodgson. Absent: none. Council President John H. Klose was present, however, experienced technical difficulties with the remote platform during roll call for attendance and approval of the minutes.

All present joined Mayor Hodgson in a salute to the flag.

Councilman Russell moved to approve the regular minutes from the March 11, 2020 regular meeting minutes. Councilman Hartney seconded the motion. With a vote in the affirmative, the minutes were approved as presented.

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. Present, unable to respond, as mentioned: Mr. Klose.

Councilman Russell moved to approve the introduction of Ordinance 2020-05. Councilman Hartney seconded the motion. With a vote in the affirmative, Ordinance 2020-05 was approved, as introduced by title.

ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING AND SUPPLEMENTING CHAPTER XIII OF THE BOROUGH CODE OF THE
BOROUGH OF SURF CITY ENTITLED "FIRE PREVENTION" SO AS TO ESTABLISH SMOKE
ALARM, CARBON MONOXIDE ALARM AND PORTABLE FIRE EXTINGUISHER COMPLIANCE
INSPECTION 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.

Councilman Russell moved to open the public hearing for the final adoption of Ordinance 2020-02. Councilman Hartney seconded the motion. With a vote in the affirmative, public comment 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 the public hearing for the final adoption of Ordinance 2020-02. Councilman Hartney seconded the motion. With a vote in the affirmative, public comment 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 adoption of Ordinance 2020-02. Council President Klose seconded the motion. With a vote in the affirmative, Ordinance 2020-02 was adopted, as follows.

BOND ORDINANCE PROVIDING FOR THE 2020 ROAD IMPROVEMENT PROJECT, APPROPRIATING \$625,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$593,750 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SURF CITY, IN THE COUNTY OF OCEAN, NEW JERSEY.

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF SURF CITY, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), as follows:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Surf City, in the County of Ocean, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$625,000, said sum being inclusive of all appropriations heretofore made therefor, including \$325,000 grant funds expected to be received from the New Jersey Department of Transportation (NJDOT), and the sum of \$31,250 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$593,750, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the 2020 Road Improvement Project, including improvements to North 3rd Street and North 4th Street located in the Borough, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$593,750, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$625,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$625,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$31,250 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$593,750 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$70,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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.

Public hearings and final adoptions of Ordinances 2020-03 & 2020-04 were scheduled for this agenda. N.J.S.A. 40:55D-26 requires all zoning ordinances be referred to the Land Use Board for review. Due to the cancelation of the March 25, 2020 Land Use Board meeting, the required review did not occur. These matters were carried to the May 13, 2020 regular Council meeting.

Council President Klose to move to carry Ordinance 2020-03, read by title, to the May 13, 2020 Council meeting. Councilman Wm. Hodgson seconded the motion. With a vote in the affirmative, Ordinance 2020-03 was carried.

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, AS FOLLOWS. SECTION 30-11.5(C)4 OUTDOOR RECREATIONAL FIRES AND DEVICES, SECTION 30-6.4(B) & SECTION 30-7.4(B) BUILDING AREA & DIMENSIONS, AND SECTION 30-5.2(A) BUSINESS ZONE- USES & REGULATIONS.

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 to move to carry Ordinance 2020-04, read by title, to the May 13, 2020 Council meeting. Councilman Russell seconded the motion. With a vote in the affirmative, Ordinance 2020-04 was carried.

ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, VACATING ALL RIGHT, TITLE AND INTEREST OF THE BOROUGH OF SURF CITY IN A TWENTY (20’) FOOT ALLEY LYING BETWEEN LOTS 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 18, 20 & 21, BLOCK 53, WHICH ALLEY IS LOCATED BETWEEN 21ST STREET AND 22ND STREET AND DESIGNATED AS LOT 22 BLOCK 53 ON THE TAX RECORDS OF THE BOROUGH OF SURF CITY.

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

Councilwoman Siciliano moved to the approve Resolution 2020-72. Councilman Hartney seconded the motion. With a vote in the affirmative, the following was approved.

WHEREAS, President Donald J. Trump issued a Major Disaster Declaration, FEMA-4488-DR-NJ, on March 25, 2020 for the State of New Jersey; and

WHEREAS, FEMA 4488-DR-NJ provides relief funding for emergency protective measures; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of Surf City, that in accordance with procedures in 44 C.F.R. §206.202(c), authorization be given to the Borough Administrator to submit a request for public assistance (RFP) to the FEMA Regional Administrator, through the FEMA Grants Portal.

Councilwoman Siciliano moved to the approve Resolution 2020-73. Councilman Hartney seconded the motion. With a vote in the affirmative, the following was approved.

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 FATAL ACCIDENT SUPPORT TEAM 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 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 Fatal Accident Support Team Program (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 execute a Shared Services Agreement with the County of Ocean for the Prosecutors F.A.S.T. Program, in accordance with the terms of said agreement.
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 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 the approve Resolution 2020-74, attached hereto as Schedule B. Councilman Hartney seconded the motion. With a vote in the affirmative, the Resolution 2020-74 was 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 Wm. Hodgson moved to the approve Resolution 2020-75. Councilman Russell seconded the motion. With a vote in the affirmative, the Resolution 2020-75 was approved.

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

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.

Council President Klose moved to the approve Resolution 2020-76. Councilman Hartney seconded the motion. With a vote in the affirmative, the Resolution 2020-76 was approved.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Surf City that the Chief Financial Officer be and is hereby authorized to pay the State of New Jersey, Department of Environmental Protection site remediation fee in the amount of \$3,260.

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 Wm. Hodgson moved to the approve Resolution 2020-78. Councilman Hartney seconded the motion. With a vote in the affirmative, the Resolution 2020-78 was approved.

RESOLUTION OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF A REVISED SHARED SERVICES AGREEMENT WITH THE
COUNTY OF OCEAN FOR FIRE INSPECTION SERVICES

WHEREAS, the County of Ocean (“County”) serves as the Local Enforcing Agency (“LEA”) for the Borough of Surf City (“Borough”) and is responsible for conducting certain fire inspection services on behalf of the Borough pursuant to the Uniform Fire Safety Act, N.J.S.A. 52:27D-192, et. seq. (“Act”), and the Uniform Fire Code, N.J.A.C. 5:70-1.1, et. seq. (“Code”); and

WHEREAS, the County and the Borough previously entered into a Shared Services Agreement for the provision of certain fire inspection services dated November 7, 2018; and

WHEREAS, the County and the Borough wish to terminate and cancel that agreement and enter into a revised Shared Services Agreement under which the Borough shall be responsible for conducting all smoke alarm, carbon monoxide alarm, and portable fire extinguisher compliance inspections within the Borough as required by the Act and Code and for establishing the fees for the same as set forth in the revised agreement, a copy of which is attached hereto and made part hereof as Schedule “A”; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq., specifically authorizes local government units including counties and municipalities to enter into Shared Services Agreements.

NOW, THEREFORE, BE IT RESOLVED this 8th day of April 2020, by the Governing Body of the Borough of Surf City, County of Ocean, State of New Jersey as follows:

1. The Governing Body does hereby authorize the execution of a Shared Services Agreement with the County for the provision for fire inspection services, a copy of which is attached hereto and made a part hereof as Schedule “A”.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement.
3. That a certified copy of this resolution and agreement shall be kept on file in the office of the Municipal Clerk and available for public inspection during normal business hours.
4. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to the County of Ocean.

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.

Mayor F. Hodgson presented the January reports from the Municipal Court and the Chief Financial Officer for the minutes, hereto attached as schedules G & H.

Councilman Hadash presented the sanitation report for the minutes, attached as schedule C. He also moved to approve Resolution 2020-77. Councilman Russell seconded the motion. With a vote in the affirmative, the following was approved.

NOW, THEREFORE, BE IT RESOLVED that the following part-time laborers be appointed in the Department of Public Works on an as needed basis at the corresponding rates, effective January 1, 2020 terminating September 30, 2020, as follows.

- Dennis McCarthy \$13.00 per hour
- Davonte Olivio \$13.00 per hour
- Terry Brennan \$13.00 per hour
- Anthony Triola \$12.50 per hour

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 submitted his report for the minutes, hereto attached as schedule D. Councilman Wm. Hodgson provided the March 2020 statistical report from the Police Department for the minutes, hereto attached as schedule E. He commented that the Borough offices were monitoring compliance in relation to the COVID-19 pandemic and expressed his thanks to them with this challenge. Councilwoman Siciliano moved her report to the record, hereto attached as schedule F. The N. 5th & N. 6th road reconstruction projects were still on schedule to be completed by Memorial Day. She also reported that street sweeping would begin the week of April 27th and asked for all to make their best efforts to move their cars off the streets. Councilman Hartney commented on the beaches being open and social distancing. Council President Klose reminded everyone that hydrant flushing would be the week of April 20, 2020.

Councilman Russell moved to pay the bills. Council President Klose seconded the motion. With a vote in the affirmative, the bills were approved to be paid.

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	\$116,753.64
Current	\$895,299.26
Payroll Account	\$178,790.38
Dog License Account	\$13.80
Ice Cream Vendor Account	\$0.00
Escrow Release	\$7,282.28
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: Councilman Hartney
Council President Klose

Councilman Russell

Dated: April 8, 2020.

/s/ Francis R. Hodgson, Mayor

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.

Mayor F. Hodgson called for any comments from the public.

David Vanadia of 1918 N. Long Beach Boulevard commented on emergency placards for renters.

John Keenan of 208 N. 28th Street in Long Beach Township commented on rental bans in other municipalities due to the COVID-19 pandemic.

Robert Massey of 27 N. 17th Street expressed similar concerns about rental bans. Mayor F. Hodgson referred Mr. Massey to contact the police department if he saw anyone in non-compliance with the executive orders. Councilman Wm. Hodgson co-owns a realty company and revealed that there is not a high volume of rental calls at this time. He encouraged the public to enjoy our beaches while following the advice from State officials.

Councilman Russell moved to adjourn the meeting. Councilman Hartney 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. Abstentions: none. Absent: none.

Respectfully submitted,



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