

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 June 17, 2021 issue of the Beach Haven Times. Due to the COVID-19 pandemic, this meeting took place on a remote platform called GoTo Meeting.

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

Borough Attorney, Christopher J. Connors was also present.

All present joined Mayor F. Hodgson in a salute to the Flag.

Councilman Russell moved to approve the minutes from the June 9, 2021 regular meeting. 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. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose.

Councilwoman Siciliano moved to approve the introduction and first reading by title for Ordinance 2021-11. Councilman Russell seconded the motion. With a vote in the affirmative, the following title was read and approved.

BOND ORDINANCE PROVIDING FOR THE 2021 ROAD IMPROVEMENT PROJECT,
APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$665,000 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.

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

Councilman Hartney moved to open the public hearing for Ordinance 2021-12. Councilman Hadash seconded the motion. With a vote in the affirmative, the public hearing was opened. Roll call reflected the following votes in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose. There were no comments. Councilman Russell moved to close the public hearing for Ordinance 2021-12. Councilman Hadash seconded the motion. With a vote in the affirmative, the public hearing was closed. Roll call reflected the following votes in approval: Mr. Hadash, Mr. Hartney, Mr. Wm. Hodgson, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose.

Councilman Hartney moved to approve the adoption and second reading by title for Ordinance 2021-12. Councilman Russell seconded the motion. With a vote in the affirmative, the following was adopted.

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 17 SECTION 2.3 ENTITLED SOLID WASTE MANAGEMENT, AS FOLLOWS.

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

SECTION I

Chapter 17 Section 2.3 entitled Dumpster Containers in hereby added, as follows. Dumpster containers are prohibited in the residential zone, except in the case of a property under permitted construction.

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

Councilman Russell moved to approve Resolution 2021-106. Councilwoman Siciliano seconded the motion. With a vote in the affirmative, the following 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 guarantees may be released.

- Maureen Spezial in the amount of \$5,000.00 for 2300 N. Central Avenue.
- 3 G's Equities, LLC in the amount of \$3,000.00 for 270 N. 13th Street.

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

Councilman Wm. Hodgson moved to approve Resolution 2021-107. Councilwoman Siciliano seconded the motion. With a vote in the affirmative, the following was approved.

WHEREAS, the Women's Auxiliary of the Surf City Vol. Fire Company #1 and EMS has applied for a license for an off-premise 50/50 raffle to take place on July 30, 2021; and

WHEREAS, pursuant to N.J.A.C. 13:45-2.1, the Surf City Vol. Fire Company #1 and EMS has obtained ID number 485-9-17286 from the Legalized Games of Chance Control Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Surf City that license 21-03 be issued for off-premise 50/50 raffle to be held on July 30, 2021 from 5 pm to 9 pm; and

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

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

Councilman Russell moved to approve Resolution 2021-108. Councilman Hartney seconded the motion. With a vote in the affirmative, the following was approved.

WHEREAS, the Aux Coordinating Council of S. Ocean Medical Center Foundation has applied for a license for an on-premise 50/50 raffle to take place on September 22, 2021; and

WHEREAS, pursuant to N.J.A.C. 13:45-2.1, Aux Coordinating Council of S. Ocean Medical Center Foundation has obtained ID number 477-5-423000 from the Legalized Games of Chance Control Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Surf City that license 21-04 be issued for on-premise 50/50 raffle to be held on September 22, 2021 from 1 pm to 3 pm; and

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

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

Councilwoman Siciliano moved to approve Resolution 2021-109. Councilman Hartney seconded the motion. With a vote in the affirmative, the following was approved.

WHEREAS, the Aux Coordinating Council of S. Ocean Medical Center Foundation has applied for a license for an on-premise merchandise raffle to take place on September 22, 2021; and

WHEREAS, pursuant to N.J.A.C. 13:45-2.1, Aux Coordinating Council of S. Ocean Medical Center Foundation has obtained ID number 477-5-423000 from the Legalized Games of Chance Control Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Surf City that license 21-05 be issued for on premise merchandise raffle to be held on September 22, 2021 from 1 pm to 3 pm; and

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

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

Councilwoman Siciliano moved to approve Resolution 2021-110. Councilman Hartney seconded the motion. With a vote in the affirmative, the following was approved.

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SFY 2022 ROAD RECONSTRUCTION PROJECT – NORTH 8TH STREET (BARNEGAT AVE TO LONG BEACH BLVD.)

NOW, THEREFORE, BE IT RESOLVED that the Borough Council, of the Borough of Surf City, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor, Municipal Clerk and Borough Engineer are hereby authorized to submit an electronic grant application identified as MA-2022-8th St. Barnegat Ave to Long Beach Blvd-00104 to the New Jersey Department of Transportation on behalf of Borough of Surf City.

BE IT FURTHER RESOLVED that Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Surf City and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

Councilwoman Siciliano moved to approve Resolution 2021-111. Councilman Russell 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 AN ADDENDUM TO THE CONTRACT WITH SWIFT & SON, INC FOR THE BOROUGH HALL PARKING LOT RECONSTRUCTION.

WHEREAS, a contract was previously awarded to Swift & Sons, Inc for the Borough Hall Parking Lot Reconstruction; and

WHEREAS the original contract for said work was in an amount of \$44,260.00; and

WHEREAS the governing body wishes to authorize Change Order No 1, which will result in an increase of \$8,628.96 in the contract price; and

WHEREAS this change order amounts to a total of 19.50 percent of the original contract awarded to the contractor; and

WHEREAS it is the desire of the governing body to authorize this change order.

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

1. That the Governing Body does hereby authorize the execution of an addendum to the contract with Swift & Sons, Inc for the Borough Hall Parking Lot Reconstruction with an increase of \$8,628.96 in the contract price.
2. That the Mayor and Municipal Clerk are hereby authorized to execute an addendum to the contract with Swift & Sons, Inc in accordance with the provisions of this resolution.
3. That a certified copy of this resolution, together with a copy of the contract addendum between the parties, be forwarded to the Chief Financial Officer and that three (3) certified copies be forwarded to the Municipal Engineer.

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

Councilman Hartney moved to approve Resolution 2021-116. Councilwoman Siciliano seconded the motion. With a vote in the affirmative, the following 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 Groff Tractor Mid Atlantic proceed with repairs to the Case Tractor in the amount of \$11,754.19.

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

Mayor F. Hodgson read the Municipal Court and Chief Financial Officer's report for the month of May 2021.

Councilman Hadash provided the sanitation report and announced that the Department of Public Works is down ten employees. He explained that the department is holding on by a thread. The Borough mechanic and the water department were all out picking up trash and

recycling. He moved to approve Resolution 2021-112. 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 June 21, 2021 terminating September 30, 2021, as follows.

Nathan Sprague at \$13.00 per hour.

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

Councilman Russell stated that it was so nice to see everyone in the Council Chambers for the first in person meeting since last year and provided the monthly lifeguard reported. With that he moved Resolution 2021-114. Councilman Wm. Hodgson seconded the motion. With a vote in the affirmative, the following was approved.

NOW, THEREFORE, BE IT RESOLVED that the following listed individuals are appointed seasonal employees in the Beach Patrol Department, effective as of this date unless otherwise noted, and shall terminate on September 6, 2021 at the corresponding rate of pay.

Gator Program Drivers
at a rate of \$15.00 per hour

George Ryan
James Henry
Jesse Ansteit

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

Councilman Wm. Hodgson provided the statistical report for the police department and reminded everyone to lock their cars. He announced that the Borough would be receiving approximately \$62,000 from the American Recovery Grant. Councilman Wm. Hodgson also commented that it was so nice to see people in person at this meeting.

Councilwoman Siciliano reported that the Department of Public Works continues to repair potholes and barricades. They have been performed some in-house work on the N. 3rd Street bulkhead. The parking lot resurfacing has been completed. She also commented on the NJDOT application that was approved. We should typically hear from them in the beginning of next year.

Councilman Hartney spoke about the Re-Clam the Bay event that takes place on Tuesday mornings. He also provided the monthly report for beach badge sales. Councilman Hartney moved Resolution 2021-113. Councilman Russell seconded the motion. With a vote in the affirmative, the following was approved.

NOW, THEREFORE, BE IT RESOLVED that the following listed individuals are appointed seasonal employees in the Bathing Beach Department, effective as of this date unless otherwise noted, and shall terminate on September 6, 2021 at the corresponding rate of pay.

1st Year \$12.00 Per Hour

Grace Hagemann

Olivia Verdi

Fill In Assistant Supervisor - \$13.50 /Per Hour

Sage Christensen

Isabelle Wright

Boat Ramp Attendant \$12.00 Per Hour

Devin McDonald

Ryan Favre

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

With a unanimous affirmative vote, requests were approved from Bob Sutter and Madeline Mital for memorial benches to be placed in memory of loved ones.

Councilman Russell moved to pay the bills. Councilman Hadash seconded the motion. With a vote in the affirmative, the following bill list was approved.

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	\$90,809.51
Current	\$2,799,946.95
Payroll Account	\$328,765.44
Dog License Account	\$22.20
Ice Cream Vendor Account	\$0.00
Escrow Release	\$8,000.00
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.

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

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

Linda Grasso, of 349 N. 6th Street, inquired about code enforcement. Mayor F. Hodgson informed her that the police department was charged with the enforcement of all the Borough Ordinances.

Jennifer Bitman, of 32 N. 8th Street, expressed concerns in relation to amplified music for outdoor dining establishments. Mayor F. Hodgson ensured her that the police department was looking into the matter.

Kevin Glacken, of 1109 N. Central Avenue, took issue with the news of the recent purchase of the property located on the N. 600 Block of the Boulevard by Mayor F. Hodgson and Councilman Wm. Hodgson. He wanted to know how Council could approve that sale and use. Councilwoman Siciliano informed him that this matter had not been before Council for any consideration. Mr. Glacken left the Council Chambers when he was asked to maintain order.

Mayor F. Hodgson explained that there has been quite a history of business turnover at that plaza. The property was advertised as five separate lots and is permitted to use for residential purposes.

Joanne Dozer, of 15 N. Long Beach Boulevard, stated concerns for the news of the recent sale of the same aforementioned property.

Mayor F. Hodgson gave a history of the businesses in town that have come and gone. He has been in the business of real estate and construction for as long as he's been a member of the Governing Body. Further adding that he has brought thirty-three commercial establishments to the Borough over his long career. The building in reference is over one hundred years old and is in need of major improvements.

Mayor F. Hodgson periodically called the meeting to order due to the lack of decorum from some of the members of the public.

Suzanne Troy, of 1717 N. Central Avenue, stated she is an Emersonian, meaning she likes to leave the world a better place than she found it. She complimented the safe town but made comments about not favoring "McMansions".

Bill McMorrow, of 347 N. 7th Street, spoke about his opposition in relation to the same sale being referenced.

Councilman Wm. Hodgson gave a summary of the many properties that have been improved throughout the Borough by their family construction business. Operating this business is how he makes a living to provide for his family. Many of the buildings they have improved sat in disrepair or were abandoned for years before they had purchased them. He reminded everyone that most public hearings during land use board site plan cases reflect neighbor opposition to mixed use businesses being in their backyard.

Councilman Hartney contended that there are many walking areas throughout town. He gave a detailed explanation of the Borough Ordinances that allowed for the residential use in the Business Zone. This property was open for public purchase for residential homes without a required appearance before the Land Use Board; that opportunity has been available since the establishment of the Ordinances in 1972. Board members scrutinize the same, if not more, for applications submitted by FHW Land Acquisitions, LLC. He referenced the recent land use

board case for a laundry mat, inviting the public to request the minutes or the recording for that hearing. The Land Use Board members are not paid employees, they are volunteers and the process is full and open to the public, meeting on the 4th Wednesday of every month.

Bob Garrison, of 26 N. 14th Street, requested that the proposed use of the referenced sale be mixed use for various reasons, one being his claim of lots of parking there. Mayor F. Hodgson explained that the public parking area along the Boulevard is usually used for beach patrons; the businesses located along that strip do not benefit from the public parking area.

Kathy Romanovich, of 213 N. 3rd Street, asked the Mayor when he wears his Mayor hat and expressed her opinion that there was conflict in the referenced sale.

Mr. Connors, the Borough Attorney, asked Ms. Romanovich if her accusation was to insinuate a legal conflict was present. Ms. Romanovich said no.

Mayor F. Hodgson asked Ms. Romanovich to explain what was conflicting about the sale. Ms. Romanovich could not answer that question. Councilman Wm. Hodgson explained that Mayor F. Hodgson has been a part of the Borough Council for fifty years, as Mayor L. Connors was for fifty-one years. The long-lasting success of the Borough is due much to their efforts.

Councilwoman Siciliano asked Ms. Romanovich if she believed in private property owner rights.

Julie Pappadamas, of N. 17th Street, referenced a sale of a property a number of years ago.

Katie Ribsam, owner of Yoga Bohemia, was present to express her concerns about a complaint received by the Borough about yoga on the beach. She understood the intent of the restrictions but explained her case for why her business should be permitted to conduct yoga on the beach. Mayor F. Hodgson directed the Borough Attorney to look into the matter. Mr. Connors established that he would exchange contact information with her at the close of the meeting.

With no further business, Mr. Hartney moved to adjourn the meeting. Mr. Russell seconded the motion. With a unanimous vote in the affirmative, the meeting was adjourned.

Respectfully submitted,

Christine Hannemann, RMC/CMR?QPA

Borough Clerk/Administrator