

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.

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

Councilman Russell moved to approve the regular minutes from the April 8, 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.

Councilman Russell moved to approve the introduction of Ordinance 2020-06. Councilman Hartney seconded the motion. With a vote in the affirmative, Ordinance 2020-06 was approved, as introduced by title.

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).

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 the final adoption of Ordinance 2020-05. Councilwoman Siciliano 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 2020-05. 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 Russell moved to approve the final adoption of Ordinance 2020-05. Councilman Hartney seconded the motion. With a vote in the affirmative, Ordinance 2020-05 was adopted, as follows.

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.

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

SECTION 1. Chapter XIII of the Borough Code of the Borough of Surf City entitled "Fire Prevention" is hereby amended and supplemented to establish new Section 13-1.8 which shall read as follows:

13-1.8 SMOKE ALARM, CARBON MONOXIDE ALARM AND PORTABLE FIRE EXTINGUISHER COMPLIANCE INSPECTIONS.

- a. In accordance with the provisions of the Uniform Fire Code, N.J.A.C. 5:70-1 et. seq., all owners of residential property within the Borough must apply for a smoke alarm, carbon monoxide alarm, and portable fire extinguisher inspection and obtain a Certificate of Compliance prior to any change in occupancy or the commencement of a lease or rental of the property. All residential property owners renting the property on a seasonal basis must apply for a smoke alarm, carbon monoxide alarm, and portable fire extinguisher inspection of the residence and obtain a Certificate of Compliance annually.
- b. *Permit Fees.* Effective January 1, 2019, the application fee for a certificate of smoke alarm, carbon monoxide alarm, and portable fire extinguisher compliance (CSACMAPFEC), as required by N.J.A.C. 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected, as follows:
 1. Requests for a CSACMAPFEC received more than 10 business days prior to the change of occupant: \$45
 2. Requests for a CSACMAPFEC received four to 10 business days prior to the change of occupant: \$90
 3. Requests for a CSACMAPFEC received fewer than four business days prior to the change of occupant: \$161

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid of 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.

SECTION 4. This ordinance shall take effect after public reading and publication as required by 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.

Councilman Russell moved to open the public hearing for the final adoption of Ordinance 2020-03. Councilwoman Siciliano 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 2020-03. Councilman Hodgson 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 2020-03. Council President Klose seconded the motion. With a vote in the affirmative, Ordinance 2020-03 was adopted, 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, 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.

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Surf City, as follows.

SECTION 1

Section 30-11.5(c)4 entitled “Outdoor Recreational Fires and Devices” as amended by Ordinance 2019-17 is hereby repealed and replaced, as follows. Permanent fire devices shall be a minimum of five (5) feet from any building or accessory structure and a minimum of ten (10) feet from any lot line.

SECTION 2

Section 30-6.4(b) entitled “Building Area and Dimensions” is hereby revised, as follows. The maximum height of the main building shall be no more than thirty-three (33) feet above the elevation of the center line of the street upon which the lot fronts. The minimum average finished grade elevation, including the slab, shall not be lower than one (1) foot above the centerline of the street.

Exceptions:

- i. The maximum height of a building shall be no more than thirty-four (34) feet above the average finished grade (excluding designated driveways) provided the grade elevation is a minimum of twenty-four (24) inches and no more than thirty (30) inches above the centerline of the street upon which the lot fronts.
- ii. Buildings on lots which are crossed by the oceanfront building line shall not exceed thirty-four (34) feet in height from an elevation determined by striking a line, perpendicular to the building line, at the elevation thereof and running to the lot elevation at the setback line at the opposite side of the lot from the building line. The thirty-four (34) foot height limitation is to be measured from the elevation established at the midpoint in the line so struck between the building line and the opposite side setback line.
- iii. Chimneys may exceed the height limitations, herein established.
- iv. Deck railing, as established in Section 11-7.8(h).

SECTION 3

Section 30-7.4(b) entitled “Building Area and Dimensions” is hereby revised, as follows. The maximum height of the main building shall be no more than thirty-three (33) feet above the elevation of the center line of the street upon which the lot fronts. The minimum average finished grade elevation, including the slab, shall not be lower than one (1) foot above the centerline of the street.

Exceptions:

- v. The maximum height of a building shall be no more than thirty-four (34) feet above the average finished grade (excluding designated driveways) provided the grade elevation is a minimum of twenty-four (24) inches and no more than thirty (30) inches above the centerline of the street upon which the lot fronts.
- vi. Buildings on lots which are crossed by the oceanfront building line shall not exceed thirty-four (34) feet in height from an elevation determined by striking a line, perpendicular to the building line, at the elevation thereof and running to the lot elevation at the setback line at the opposite side of the lot from the building line. The thirty-four (34) foot height limitation is to be measured from the elevation established at the midpoint in the line so struck between the building line and the opposite side setback line.
- vii. Chimneys may exceed the height limitations, herein established.
- viii. Deck railing, as established in Section 11-7.8(h).

SECTION 4

Section 30-5.2(a) entitled “Business Zone – Uses and Regulations” is hereby repealed and replaced, as follows. Said application shall be submitted no later than April 30th of each

year and shall include a \$50.00 fee, a survey or final site plan and a photograph showing the proposed location of the seating.

SECTION 5

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 6

This ordinance shall take effect immediately upon its enactment after a second reading and publication, as required by 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.

Councilman Russell moved to open the public hearing for the final adoption of Ordinance 2020-04. Council President Klose 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. Klose, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: Mr. Wm. Hodgson. Absent: none. There were no comments. Councilwoman Siciliano moved to close the public hearing for the final adoption of Ordinance 2020-04. Council President Klose 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. Klose, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: Mr. Wm. Hodgson. Absent: none.

Councilman Russell to move to adopt Ordinance 2020-04. Council President Klose seconded the motion. With a vote in the affirmative, Ordinance 2020-04 was adopted, as follows.

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.

WHEREAS, N.J.S.A. 40:67-1 et seq., authorizes a municipality to vacate the public interest in any public street, highway, lane or alley, or any part thereof; and

WHEREAS, N.J.S.A. 40:67-19 provides that where there has been a dedication of lands as a public place and same has not been accepted or opened by the municipality, the governing body may, by Ordinance, release and extinguish the public right arising from the dedication ; and

WHEREAS, the Mayor and Council of the Borough of Surf City finds and determines that the twenty foot (20') alleyway, as further and particularly described in Section 3 of this Ordinance, is not needed for any public purpose and that the public will not be adversely affected by the

vacation of the municipality's interest and that the public interest therein should be vacated and extinguished.

NOW, THEREFORE BE IT ORDAINED, by the governing body of the Borough of Surf City, County of Ocean, State of New Jersey in accordance with the aforesaid Recitals, which are incorporated herein by reference as if set forth fully therein, does hereby vacate the certain alleyway as follows:

Section 1. Statement of Purpose

The purpose of the Ordinance is to vacate a twenty foot (20') unnamed alleyway lying between Lots in 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 18, 20 & 21, Block 53 as designated on the official tax map of the Borough of Surf City.

Section 2. Statutory Authority

This Ordinance is enacted pursuant to and in accordance with the authorization set forth in N.J.S.A. 40:67-1 et seq.

Section 3. Findings and Vacation

The twenty foot (20') alleyway located in the Borough of Surf City, Ocean County, New Jersey, referenced as "Private Drive" on a certain map or plan titled "Resubdivision of Block 63 Surf City, New Jersey, A. Raymond, Owner" made by Thomas J. Taylor, P.E. and L.S. , March 5, 1937, and duly filed in the Office of the Ocean County Clerk at Toms River, New Jersey on May 25, 1937 as Map E-227; being further described in the legal description set forth as Schedule "A" prepared by William J. Berg, PLS, attached hereto and made a part hereof and being further designated as Lot 22 Block 53 on the tax records of Surf City Borough shall be and is hereby vacated by the Borough of Surf City, subject to covenants, restrictions and/or easements specifically as hereinafter set forth; except those that have expired by their own limitations. The ownership of the vacated alleyway shall vest in the owners of Lots 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 18, 20 & 21, Block 53, if fee ownership to the ten (10') foot currently located in the "Private Drive", as aforementioned is not already included in the fee title, being the lots adjoining the alleyway; each to own to the center of the alleyway, ten (10') feet, along the width of the respective adjoining lot.

Section 4. Covenants, Restrictions and Easements

Pursuant to N.J.S.A. 40:67-1 et seq., and the description set forth in Section 3 above, the vacation is subject to any covenants, restrictions and/or easements, except those that have expired by their own limitation. The vacation is subject to any and all covenants, restrictions and easements including any and all rights and privileges possessed by public utilities, as defined in N.J.S.A. 49:2-13 and any cable television company as defined in N.J.S.A. 48:5A-1, et seq. to maintain repair and replace their existing facilities in, adjacent to, over or under the alleyway and any part thereof to be vacated, as set forth in Section 3, above. The vacation is subject to an easement by and between the owners of Lots 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 18, 20 & 21, Block 53 on the Official Tax Map of the Borough of Surf City, Ocean County, New Jersey, their tenants, assigns and guests,

for access and egress from their respective homes, passageway between Long Beach Boulevard and Ocean Terrace; access and egress to and from the rear of their respective houses, garages and sheds abutting said alley; and subject to the alleyway remaining unobstructed without any parking being permitted within said alleyway.

Section 5. Notice to Affected Property Owners

At least one (1) week prior to the time fixed for further consideration for final passage of this ordinance, a copy hereof, together with a notice stating the introduction of the ordinance on first reading and the time and place when and where the ordinance will be considered for final passage, shall be mailed to every person whose lands may be affected by the adoption of the ordinance.

Section 6. Publication

This ordinance shall be published at least once in an official newspaper of the municipality at least ten (10) days prior to the time fixed for consideration of the final passage of the ordinance.

Section 7. Recordation

Within sixty (60) days of the effective date of the Ordinance, the Municipal Clerk shall file a certified true copy of the Ordinance and a copy of the proof of publication with the Office of the Ocean County Clerk.

Section 8. Repealer

All ordinances or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 9. Severability

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 10. Public Inspection of Ordinance

A copy of this ordinance together with Schedule A, as referenced herein, shall be kept on file and made available for public inspection in the municipal clerk's office during normal business hours.

Section 11. Effective date

This ordinance shall take effect after final adoption and publication as required by law.

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.

Councilman Russell moved to the approve Resolution 2020-83. Councilman Hartney seconded the motion. With a vote in the affirmative, the following was approved.

NOW, THEREFORE, BE IT RESOLVED that the following statements of revenue and appropriations shall constitute the Municipal Budget for the year 2020.

BE IT FURTHER RESOLVED that said Budget be published in the Beach Haven Times in the May 21, 2020 issue.

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Surf City, hereby approves the Budget for the Fiscal year 2020.

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 W. Hodgson moved to the approve Resolution 2020-80. Councilman Hartney seconded the motion. With a vote in the affirmative, the following was approved.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the required under our Community Flood Rating Program, the minutes of the Multi-jurisdictional Public Information Program for Long Beach Island be and is hereby approved as requested by the Clerk/Administrator who attended the meeting and recommends approval of the minutes.

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 2020-81. Councilman Hartney 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.

Brian Fullerton for 379 S. 3rd Street in the amount of \$1,950.00

Kelly & Visotcky, LLC for 37 N. 19th Street in the amount of \$3,000.00

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 the approve Resolution 2020-82. Councilman Hartney seconded the motion. With a vote in the affirmative, the following was approved.

WHEREAS, Governor Murphy issued Executive Orders No. 103 (2020) which declared both a Public Health Emergency and State of Emergency & No. 130 (2020) which provided for municipalities to extend the property tax deadline; and

WHEREAS, under N.J.S.A. 54:4-66(a), second-quarter property taxes are due May 1, 2020 for the municipality; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of Surf City, County of Ocean, State of New Jersey, approve instituting a grace period concluding on a date no later than June 1, 2020 for the payment of second-quarter property taxes.

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 the approve Resolution 2020-84. Council President Klose seconded the motion. With a vote in the affirmative, the following was approved.

RESOLUTION OF THE BOROUGH OF SURF CITY, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BY AND BETWEEN THE BOROUGH OF SURF CITY AND THE TOWNSHIP OF LONG BEACH UNDER THE SHARED SERVICES ACT, N.J.S.A. 40A:65-1 ET SEQ. DESIGNATING THE TOWNSHIP OF LONG BEACH AS THE LEAD AGENCY FOR THE PROVISION OF A MUNICIPAL TRANSPORTATION SYSTEM.

WHEREAS, 40A:65-1 et seq., authorizes several municipalities to agree to provide services jointly by contract when approved by resolution under N.J.S.A.40A:65-5; and

WHEREAS, the Borough of Surf City wishes to enter into an agreement with the Township of Long Beach, the Borough of Beach Haven, the Borough of Harvey Cedars, the Borough of Ship Bottom and the Borough of Barnegat Light for the provision of a Municipal Transportation System and designating the Township of Long Beach as lead agency;

NOW, THEREFORE, BE IT AGREED by the Borough of Surf City:

1. The Mayor and Municipal Clerk of the Borough of Surf City shall be and are hereby authorized and directed to enter and execute a Shared Services Agreement.
2. A copy of the Agreement together with the agreement annexed shall further remain on file and be available for public inspection at the office of the Municipal Clerk located at the Borough of Surf City Municipal Building, 813 Long Beach Blvd., Surf City, New Jersey 08008.
3. This resolution shall take effect immediately upon final adoption.

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 the approve Resolution 2020-85 for emergency temporary appropriations, attached as schedule A. Councilman Russell seconded the motion. With a vote in the affirmative, the attached resolution was approved.

Councilman Hartney moved to the approve Resolution 2020-86. Councilman Wm. Hodgson seconded the motion. With a vote in the affirmative, the following was approved.

WHEREAS, it has been recommended by the State of New Jersey and the Tax Collector that the municipality should consider mailing estimated tax bills for the 2020 3rd Quarter tax cycle: and

NOW, THEREFORE, BE IT RESOLVED that the Surf City Collector of Taxes is hereby authorized to proceed with mailing estimated tax bills for the 2020 3rd Quarter tax cycle: and

BE IT FURTHER RESOLVED as follows:

The estimated tax rate is \$.883 per hundred dollars of assessed value.

This bill is payable on August 1, 2020 and allows for the usual 10-day grace period, postmark is not accepted.

When the 2019 tax rate for the Borough of Surf City has been certified by the Ocean County Tax Board, the Tax Collector will send another bill reflecting the final tax payment due on November 1, 2020 and preliminary payments due February 1 and May 1, 2020. This final bill will reflect the total taxes billed for the calendar year 2020.

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 2020-87. Councilman Hartney seconded the motion. With a vote in the affirmative, the following was approved.

WHEREAS, on March 9, 2020 Governor Phillip D. Murphy declared a State of Emergency and a Public Health Emergency in response to the COVID-19 pandemic; and

WHEREAS, Governor Phillip D. Murphy has since issued a series of executive orders resulting in the closure or limited scope of operations to local businesses within the Borough of Surf City; and

WHEREAS, the Borough Council of Surf City finds it appropriate to temporarily relax outdoor dining procedures; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Surf City to provide for temporary relief to outdoor dining applicants, as follows:

1. All outdoor seating applicants with existing approved indoor seating may amend the 2020 Outdoor Dining application to relocate seating outdoors.
2. Applicants with approved 2020 seating applications may amend the existing application for no fee.
3. All applications must be approved by the Zoning Officer, as follows:
 - a. All seating must be confined within the property lines.

- b. A five-foot walkway must be maintained in the public right away, as per ADA requirements. Tables & chairs shall not be placed within sidewalks or streets.
 - c. All existing documentation requirements shall be submitted with amended and new applications.
 - d. Approved tables within the right-away must be stored off the right of way at the close of business each day.
 - e. Temporary fencing may be constructed, subject to site triangle restrictions.
 - f. Table umbrellas shall be permitted.
4. All applications must be received by May 31, 2020
 5. Except for the temporary relief set forth herein, all applicants must comply with all Federal, State, county and local laws and regulations, including zoning and general ordinances.

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 March reports from the Municipal Court and the Chief Financial Officer for the minutes.

Councilman Hadash presented the sanitation report and thanked all Borough employees. Councilman Russell commented on lifeguard equipment & hiring. Regretfully, he announced that the annual Memorial Service at Veteran's Park has been cancelled. Councilman Russell reminded everyone to take a moment to remember all the great men and women who have sacrificed all for our freedoms this Memorial Day. He also thanked the Borough employees.

Councilman Wm. Hodgson provided the April 2020 statistical report from the Police Department. He commented that Sgt. Roe and Sgt. Rice have been representing Surf City with the Ocean County Police Academy. Chief Casella has added helpful information for the businesses on the Police Department's webpage. He also informed all that the traffic lights would be turned-on May 18th. Councilwoman Siciliano reported that Public Works has been repairing potholes and repainting handicap parking spots. Street sweeping was complete, as was the paving of N. 5th Street. N. 6th Street is on schedule to be complete by Memorial Day. She also reported that the approved projects for N. 7th & N. 4th were at the survey and planning stage. Councilwoman Siciliano also advised all that the County has lowered the speed limits on the County roads through town.

Councilman Hartney reported that the beaches are in good condition. Public works will continue to put up dune fencing and clean the winter sand over the walk overs. Councilman Hartney has been working with the administration and beach badge supervisor to keep everyone safe for the 2020 season. The Memorial Day pancake breakfast has been canceled but the Fire Co. would be broadcasting a Facebook live broadcast to commemorate Memorial Day. The details are available on the Fire Department Facebook page. He reminded everyone that

season badge price increases on May 31st. Council President Klose commented that all was well with water & sewer. Water usage was up by thirty percent.

A letter from Kevin Brodwater requesting a memorial bench overlooking the ocean in Surf City. Councilman Russell moved to approve the request with oversight from the Borough Superintendent. Councilman Hartney seconded the motion. With a vote in the affirmative, the request 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.

A letter from Denise Lake requesting a memorial bench at any of the designated locations within Surf City. Councilman Russell moved to approve the request with oversight from the Borough Superintendent. Councilman Klose seconded the motion. With a vote in the affirmative, the request 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.

Mayor F. Hodgson addressed an email received by Dan Malay, representing the Surf City Business Co-op. Mr. Malay has requested that the Borough Attorney be present to answer questions in relation to executive orders issued by Governor Murphy. Mayor Hodgson explained that all questions should be referred to the Borough Clerk. The Borough Clerk would ensure that the question was disseminated to the appropriate Department for an answer.

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	\$65,429.25
Current	\$487,273.46
Payroll Account	\$216,612.14
Dog License Account	\$0.00
Ice Cream Vendor Account	\$0.00
Escrow Release	\$4,950.00
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: Councilman Hartney
Council President Klose
Councilman Russell

Dated: May 13, 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.

Dan Malay, of the Surf City Business Co-op, asked about outdoor dining. Mayor F. Hodgson commented about the resolution approved this evening, providing temporary relief to outdoor dining applicants. He also communicated that the Mayor & Council have been and will continue to advocate to open Surf City.

David Vanadia, of 1918 N. Long Beach Boulevard commented on emergency placards for renters. Mayor F. Hodgson explained the process by which the re-entry placards are used.

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "CHannemann".

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