

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 on January 13, 2022, issue of the Beach Haven Times.

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

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

Councilman Russell moved to approve the regular meeting minutes from August 10, 2022. 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. Hartney, Mr. McMenamin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: Mr. Wm. Hodgson. Absent: Mr. Klose.

Councilman Wm. Hodgson moved to approve Ordinance 2022-08 as introduced and read by title. Councilman Russell seconded the motion. With a vote in the affirmative, the following was approved.

BOND ORDINANCE NO. 2022-08

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A LIVESCAN MACHINE,
APPROPRIATING \$30,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$28,500 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. Hartney, Mr. Wm. Hodgson, Mr. McMenamin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose.

Councilwoman Siciliano moved to open the public hearing for Ordinance 2022-05. Councilman Russell seconded the motion. With a vote in the affirmative, the public hearing was opened. There were no comments. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. McMenamin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose. Councilwoman Siciliano moved to close the public hearing for Ordinance 2022-05. Councilman Russell seconded the motion. With a vote in the affirmative, the public hearing was closed. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. McMenamin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose.

Councilwoman Siciliano moved to approve the adoption and second reading by title for Ordinance 2022-05. Councilman Hartney seconded the motion. With a vote in the affirmative, Ordinance 2022-05 was adopted, as attached and referred to by title below.

ORDINANCE 2022-05

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 7, PERTAINS TO "TRAFFIC. "

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

Councilman Russell moved to open the public hearing for Ordinance 2022-06. Councilman Wm. Hodgson seconded the motion. With a vote in the affirmative, the public hearing was opened. There were no comments. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. McMenammin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose. Councilman Russell moved to close the public hearing for Ordinance 2022-06. Councilman Wm. Hodgson seconded the motion. With a vote in the affirmative, the public hearing was closed. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. McMenammin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose.

Councilman Russell moved to approve the adoption and second reading by title for Ordinance 2022-06. Councilman Hartney seconded the motion. With a vote in the affirmative, Ordinance 2022-06 was adopted, as attached and referred to by title below.

ORDINANCE 2022-06

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 30, PERTAINS TO "ZONING. "

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

Councilman Hartney moved to open the public hearing for Ordinance 2022-07. Councilman Russell seconded the motion. With a vote in the affirmative, the public hearing was opened. There were no comments. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. McMenammin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose. Councilman Hartney moved to close the public hearing for Ordinance 2022-07. Councilman Hartney seconded the motion. With a vote in the affirmative, the public hearing was closed. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. McMenammin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose.

Councilman Russell moved to approve the adoption and second reading by title for Ordinance 2022-07. Councilman Hartney seconded the motion. With a vote in the affirmative, Ordinance 2022-07 was adopted, as attached and referred to by title below.

ORDINANCE 2022-07

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, 2000," AS THE SAME IN CHAPTER 19, PERTAINS TO "PARKS, BEACHES, AND RECREATION AREAS. "

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

Resolutions 2022-142 through 2022-150 were considered and approved, as attached.

Mayor F. Hodgson provided the Chief Financial Officer's and Municipal Courts' reports for July 2022.

Councilman McMenamin provided the sanitation report for August 2022. The Borough has received \$5,942.00 from Ocean County for the recycling tonnage grant. He then moved Resolution 2022-152. Councilwoman Siciliano seconded the motion. Resolution 2022-152 was considered and approved, as attached.

Councilman Russell is happy to report that the Borough had a successful lifeguard season. Our beaches remained open the entire 80-day season. There is no other town on the island that can make that statement. The lifeguard captain has several past employees he can call upon when needed, and he should be commended for that. The lifeguard in training program helped the Borough to staff the stands. He provided the beach patrol statistical report for the season. Mr. Russell wanted to thank Angela and Jaime Ryan for their generous donation of lifeguard equipment. He moved Resolution 2022-153. Councilman Wm. Hodgson seconded the motion. Resolution 2022-152 was considered and approved, as attached.

Councilman Wm. Hodgson provided the August 2022 statistical report for the police department. The Department collected food for the pantry at the St. Francis Center. The Fire and Police Departments will spearhead the annual trunk or treat event on October 29, 2022. It is a great safe, fun event that includes different activities. He thanked all involved for their efforts in setting up the trunk or treat.

Councilwoman Siciliano reported that the Department of Public Works continues pothole repairs and cuts street ends. We are in a thirty-day review with the State for the current road project. Once approved, we can go through the bid process. The County turned the traffic lights on Sept 12, 2022.

Ellie Galante, 223 N. 8th Street, inquired about the N. 8th Street NJDOT application.

Councilman Hartney provided the Fire Department statistical report. The donors of the fireworks are on Board for fireworks for next year on or around the 4th of July. The Tuesday Bay

program has three hundred ten verified visitors with thirty observers. It averaged about fifty people a week; this is the end of the twelfth year. He mentioned he had referred people to Bob Stern for concerns about the windmill. Tom Hughes of the Seashell sponsored a thirty-second video ad. They anticipated a draft of an impact statement at the end of December. He spoke more in-depth about the lawsuit. He also talked to the Deputy Chief of Staff in Senator Booker's office. He and Congressman Van Drew advocated for money for the upcoming beach replenishment. Aiden sold over one thousand of the most beaches this season, the highest weekly seller of all time. Isabelle and Grace were very close runners-up. Another young lady named Wynter deserves an honorable mention for her efforts in only working part of the season. The holiday badges were ordered for the season. He provided the annual revenue report for beach badge sales. He moved Resolution 2022-154. Councilman Russell seconded the motion. Resolution 2022-154 was considered and approved, as attached.

Many of the public were present at the meeting to discuss the consideration of Resolution 2022-151 about amplified music.

Matt Nichols, 301 N. 4th Street, owner of the Northside, said he was interested in meeting with the people to compromise.

Mayor F. Hodgson read the petition that was submitted opposing outdoor amplified music.

Todd Kostrub, 1719 Long Beach Boulevard, is one of the individuals they are trying to reach. He does not want the offers that the Surf City Taxpayers Association (SCTA) and Dan Malay have proposed. He said the music could be heard loudly blocks away.

Colleen Gewirtz, the owner of Surf City Hotel, sees that the Hotel already aligns with the proposed compromises. She understood that each business would be treated individually.

Mayor F. Hodgson asked if the music could be played without the amplification.

Colleen Gerwartz said it can, but it strains the musician's voices. If she can hear the music on the third floor, she asks the staff to lower the music.

Discussion continued about amplification and potential compromises with the same group of people.

Mike Casey, 256 N. 11th Street, suggested a survey be taken.

Suzanne Troy, 1717 Central Avenue, feels someone from the Board should be more involved in the effort to compromise.

Mayor F. Hodgson stated that we gave the business every edge during the pandemic. The borough clerk met with Dan Malay only a week ago to review the status of the compromise.

Lisa Smartt, 262 N. 5th Street, asked if a petition would be helpful from the other side of the point of view and said that the persons complaining about the music purchased the homes near bars.

Mayor F. Hodgson stressed again that we could not ignore the people annoyed by the music.

Councilman Wm. Hodgson pointed out that the town made accommodations. The State's edict is that we may allow outdoor seating, but we do not have to. We need to reach reasonable accommodations. It is unnecessary to do a survey that would provide too much information to sift through. During the off-season, the Borough will review the policy.

Councilwoman Siciliano stated that the cold weather was approaching and getting darker earlier.

Steve Quinn, 362 N. 6th Street, is a musician; musicians cannot play without amplification. He suggested the musicians be shifted to face the buildings to let the music play lower.

Jim Nast spoke for Chuck Edwards; ninety percent of the people want outdoor music, per the survey from the SCTA.

Seymour Josephson, 114 S. 1st Street, the outdoor music has benefited the business and the residents.

Jake Mesa, 36 N. 8th Street, doesn't feel that, as a resident, he should be in the position to voice his concerns about listening to music. He said drinking and listening to music in a parking lot is not fun.

Mayor F. Hodgson asked for suggestions from the audience. Jake Mesa suggested limiting the days.

Mike Casey said the compromise last month was not a holistic solution.

Colleen suggests that music be allowed for four hours on Thursday, Friday, Saturday, and Sunday. Maybe limit the number of musicians. Mayor F. Hodgson said we would not interfere with the number of musicians and asked what everyone thought. Most of the crowd expressed support for the proposal.

The amplified music will be permitted on Thursday, Friday, and Saturday from 4:00 pm to 8:00 pm and on Sundays from 2:00 pm to 6:00 pm. The resolution will be effective for the remainder of the year. Councilwoman Siciliano moved to approve Resolution 2022-151 about the outdoor amplified music relief. Councilman Russell seconded the motion. Resolution 2022-152 was considered and approved, as attached.

Ed Marhefka, 240 N. 24th Street, asked if Council would look into a different type of cans.

Mayor F. Hodgson said we don't like to spend money. We will get them what they want, but it will increase taxes. We have been discussing it with a group that said they would find a grant. The group suggested the funding we already use.

Ashely Connor, an Alliance for a Living Ocean (ALO) representative, stood to speak about the proposal ALO submitted for trash cans lids throughout the Borough. Mayor F. Hodgson

addressed the misrepresentation ALO had made in a recent Sandpaper article about the Borough's position on the matter.

Mayor F. Hodgson asked what position the ALO takes on the proposed windmills.

Ashley Connor asked if Mayor F. Hodgson had questions about the proposal and claimed she wasn't present to discuss the windmills.

Councilman Hartney suggested the proposal be shifted to the Environmental Committee.

Councilman Wm. Hodgson mentioned the new household trash enforcement stickers added to the trash cans. The household trash being dumped at the litter cans is not being enforced.

Mayor F. Hodgson pointed out that the cans are for litter, not household trash. He suggested that Peter speaks with her about the broad issue of litter.

Councilman Wm. Hodgson asked about the ALO's position on the proposed windmills.

Brittany McLaughlin, ALO Executive Director, told the Council to look up the ALO position on windmills in the past Sandpaper news article.

Councilman Wm. Hodgson requested that ALO could send a letter with their positions on the windmill.

Lisa Smartt talked more about the size of the holes in trash cans and suggested the Borough use the surplus to pay for trash cans and pickleball courts.

Anthony Pace and Lisa Smartt both proposed that they would pay for a special badge to play pickleball. Many people in the crowd voiced their agreement to use a special badge to pay for the improvements to the pickleball courts.

Mayor F. Hodgson reminded the crowd that the surplus is for emergencies.

Lisa Smartt, 262 N. 5th Street, said she doesn't mind paying more taxes for nicer recreational areas and trash cans with lids.

Councilman Wm. Hodgson pointed out that \$5 million does not go far if a few sewer laterals have to be replaced.

Ed Mareftka asked if the additional money raised by taxes for improved properties could be reserved each year for the improvements.

Mayor F. Hodgson explained that salaries and costs go up each year. He asked the crowd if they were aware the school taxes for the middle and high school taxes went up over a million dollars in one year.

Kathleen Hogan, 280 N. 17th Street, asked about the budget.

Steve Quinn said we appreciate the management of the funds; we have to take care of the funds, but the park is embarrassing. He asked if we could use ADA funds for ramps.

It was decided that the Public Property would move forward in the planning, bidding, and executing of the pickleball court improvements.

Councilman Hartney moved to approve paying the bills. Councilman Russell seconded the motion. With a vote in the affirmative of the members present, 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	\$117,196.36
Current	\$943,783.13
Payroll Account	\$484,689.03
Dog License Account	\$0.00
Ice Cream Vendor Account	\$0.00
Escrow Release	\$24,906.26
Tax Certificate Account	\$0.00

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

Approved by: Council President Klose
Councilman Hartney
Councilman Russell

Date: September 14, 2022. /s/ Francis R. Hodgson, Mayor

With a vote in the affirmative, the public hearing was closed. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. McMEnamin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose.

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

With no further comments, Councilwoman Siciliano moved to adjourn the meeting. Councilman Hartney seconded the motion. With a vote in the affirmative, the meeting was adjourned.

With a vote in the affirmative, the public hearing was closed. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. McMEnamin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Klose.

Respectfully submitted,

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

ORDINANCE 2022-05

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 7, PERTAINS TO "TRAFFIC. "

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

SECTION I

Chapter 7 Section 7-10 be hereby added to the section, as follows.

Name of Street	Side	Location
Sunset Avenue	Both	Between 13 th & 22 nd Streets

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 law shall remain in full force and effect.

SECTION IV

This ordinance shall take effect immediately after final adoption according to law.

Introduction was approved on August 12, 2022.

Moved: Councilwoman Siciliano

Second: Councilman Hartney

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

Final Adoption on September 14, 2022.

Moved: Councilwoman Siciliano

Second: Councilman Hartney

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

ORDINANCE 2022-06

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 30 PERTAINS TO "ZONING".

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

SECTION I

Chapter 30 Section 18 be hereby added to the chapter, as follows.

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:
- 1) PERSON — Individuals, partnerships, voluntary associations, and corporations.
 - 2) PODS — Any temporary storage units which are the equivalent of trailers without wheels or of lesser size and are typically used for storage or transport of personal property.
- B. Permit required; fee. It shall be unlawful for any person to store, park or place any storage pod upon any residential property within the Borough of Surf City without first filing for a permit with the Surf City Zoning Department containing the information hereinafter specified and obtaining from such clerk made permit to do so, which shall be known as a "pod permit." The fee for such a permit is hereby fixed at \$50 for each issuance. Such filing shall be made at least 48 hours prior to the placement of the pod upon the property within the Borough.
- C. Restrictions on permits.
- 1) Any temporary storage permit shall be issued for a duration not to exceed 90 days. Any such permit may be reissued for an additional period of 90 days without an additional fee but no further reissuance shall take place. In no event shall a pod remain upon property within the Borough of Surf City beyond the time frame set forth within the permit. In addition, any pod situated upon the property shall not infringe upon any setbacks mandated by the local zoning ordinance, with the exception of front yard setbacks for pods that are placed in a driveway. There will be no pods stored on Borough of Surf City streets.
 - 2) The use of a pod for the construction or reconstruction of a home for the storage of materials related to that construction may be situated for the duration of the construction, but any such pod for construction-related purposes shall be removed within 30 days after the issuance of a CO/CA for the dwelling under construction.

- D. Display permit. Each permit issued under this chapter must be prominently displayed on the premises upon which the pod is located during the entire period the pod remains on the property.
- E. Information to be filed. A copy of the approved application to be filed with the Borough Clerk & Chief of Police by the Zoning Official pursuant to this chapter shall be as follows:
- 1) Name of the person, firm, group, corporation, association or organization renting or owning the pod who has responsibility for the placement and removal of the pod.
 - 2) Name of the owner of the property upon which the pod is to be located and the consent of the owner of the permit applicant is other than the owner.
 - 3) Location upon the property in which the pod is to be located.
 - 4) Date upon which the pod shall be removed from the property.
 - 5) Purpose for which the pod is to be placed upon the property.
 - 6) Sworn statement or affirmation by the person requesting the permit that the information there and given is full and true and known by him or her to do so.
- F. Restrictions:
- 1) There will be no double stacking of pods.
- G. Exceptions:
- 1) This section does not apply to PODS being delivered and removed within the same day for moving purposes only.
- H. Waiver of requirements. Upon application by any bona fide charitable, educational, cultural, or governmental institution or organization, the Mayor and Council may waive any or all of the requirements of this section, provided that the burden of establishing eligibility for such a waiver shall be on the organization applying for the waiver.

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.

Introduction approved on August 12, 2022.

Moved: Councilman Siciliano

Second: Councilman Hartney

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

Final Adoption on September 14, 2022.

Moved: Councilwoman Siciliano

Second: Councilman Hartney

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

ORDINANCE 2022-07

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, 2000" AS THE SAME IN CHAPTER 19 PERTAINS TO "PARKS, BEACHES AND RECREATION AREAS".

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

SECTION I

Chapter 19 Section 2.1 be hereby added to the section, as follows.

q. structures are prohibited on the beach except a monopole device to be set up as per the manufacturer's directions not to exceed eight feet by eight feet with all sides open not to obstruct views. Any unattended, unsafe device will be removed at the owner's expense.

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.

Introduction approved on August 12, 2022.

Moved: Councilman Hartney

Second: Councilwoman Siciliano

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

Final Adoption on September 14, 2022.

Moved: Councilman Russell

Second: Councilman Hartney

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

RESOLUTION 2022-142

NOW, THEREFORE, BE IT RESOLVED that Council President John Klose be and is hereby excused from absence at the Borough Council Meetings due to a brief illness.

BE IT FURTHER RESOLVED that the Borough Council extends to him best wishes for a speedy recovery.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do at this moment certify the foregoing to be a true and exact copy of a resolution duly adopted by the Governing Body at a meeting held on September 14, 2022, at 7:30 PM in the Council Chambers at 813 Long Beach Boulevard Surf City, NJ.

CHRISTINE HANNEMANN, RMC/CMR/QPA
Municipal Clerk/Administrator

Moved: Councilman Russell

Second: Councilman Wm. Hodgson

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

RESOLUTION 2022-143

WHEREAS, Robert “Bob” McGowan began his career in 2011 as a seasonal laborer in the Borough of Surf City after working at Mark Davies Builders and Developers for ten years as a contractor; and

WHEREAS, Bob was appointed the Department of Public Works Superintendent of the Borough of Surf City in October 2019.

WHEREAS, on October 11, 1986, Bob was married to the love of his life, Mary Jane; and

WHEREAS, on June 1, 1989, he welcomed his first child Stewart and again on April 27, 1995, received his second child Kimberly; and

WHEREAS, on March 31, 2020, Bob became a grandfather his granddaughter Dawson; and

WHEREAS, Bob spent ten years at St. Francis Center as a coach for Kindergarten and First Grade basketball and fifteen years as a coach for Little League baseball; and

WHEREAS, Bob enjoys spending his time with his granddaughter, hunting and fly and freshwater fishing; and

WHEREAS, after many years of service, Bob has distinguished himself with his expertise and leadership; and

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Surf City express their gratitude for his years of invaluable service and for all that he has contributed to the Borough; and

BE IT FURTHER RESOLVED that the Borough of Surf City wishes Bob McGowan the very best in his retirement and his future endeavors.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on September 14, 2022, at 7:30 pm in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved: Councilman Hartney

Second: Councilman Russell

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

RESOLUTION 2022-144

WHEREAS, the Borough of Surf City lost a valued community member on August 27, 2022, with the passing of Emil O. TumSuden; and

WHEREAS, Emil TumSuden was a lifelong, distinguished resident meriting such honor and tribute; and

WHEREAS, on November 26, 1960, Emil married the love of his life, Joan Patterson. They raised four children, have many cherished grandchildren and a great-granddaughter; and

WHEREAS, until 1962, Emil served as a staff sergeant in the Air National Guard. During his time with the Guard, he was activated to serve in the Cuban Missile Crisis; and

WHEREAS, Emil further carried out his civic duties as a highly regarded Surf City Volunteer Fire Company member for over sixty years. He served as Chief for many years and was pivotal in educating fellow firefighters throughout his career, both unofficially and officially, with the Fire Service. In 2016, the Fire Company dedicated the brand-new Fire Engine in his name; and

WHEREAS his public service was not limited to the fire company; he also served as a dedicated member of the Land Use Board and other private organizations; and

WHEREAS, before the establishment of local law enforcement agencies, Emil was among the few to be appointed as a Borough Special Police Officer from 1965 through 1971; and

WHEREAS, from December 1, 1960, to September 1, 1997, Emil TumSuden served as the Borough Superintendent. Emil regularly went above and beyond the call to duty. His implicit skill and expertise were unmatched. If ever in doubt about a service location or an event that happened in the history of our town, it was well known that anyone could “Ask Emil, he’ll know”; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Surf City that Emil O. TumSuden is honored and remembered for his life work and civic endeavors with gratitude for his many contributions.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on September 14, 2022, at 7:30 pm in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved: Councilman Hartney

Second: Councilman Russell

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

RESOLUTION 2022-145

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that the following personnel appointment, as recommended by Mayor Hodgson, be and is hereby approved.

LAND USE BOARD

Class IV Member

Filling a 4-year term expiring December 31, 2023

Richard Savianeso

Alternate Member #1

Fulfilling a 2-year term expiring December 31, 2023

John Franzoni

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution duly adopted by the Governing Body at a meeting held on September 14, 2022, at 7:30 PM in the Council Chambers at 813 Long Beach Boulevard Surf City, NJ.

CHRISTINE HANNEMANN, RMC/CMR/QPA

Municipal Clerk/Administrator

Moved: Councilman McMenamin

Second: Councilwoman Siciliano

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

RESOLUTION 2022-146

WHEREAS, the James and Angela Ryan Foundation has presented a donation in the amount of \$8,000.00; and

WHEREAS, they desire to utilize the funds for Beach Patrol equipment; and

WHEREAS, the Beach Patrol has a specific need to purchase paddle boards with the remaining balance of funds to be used at the lifeguard captain's discretion; and

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Surf City that the donation made by the James and Angela Ryan Foundation be graciously accepted by N.J.S.A. 40A:11-13.1.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on September 14, 2022, at 7:30 pm in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved: Councilman Russell

Second: Councilman Hartney

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

RESOLUTION 2022-147

RESOLUTION OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN ADDENDUM TO THE CONTRACT WITH EZ DOCK UNLIMITED FOR THE 2022 SCHRODERER LANE BULKHEAD PROJECT.

WHEREAS, a contract was previously awarded to EZ Dock Unlimited for the 2022 Schroderer Lane Bulkhead project; and

WHEREAS the original contract for said work was in an amount of \$103,434.60; and

WHEREAS the Governing Body wishes to authorize Change Order No 1, which will result in an increase of \$17,470.00 in the contract price; and

WHEREAS this change order amounts to a total of 16.89 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. The Governing Body hereby authorizes the execution of an addendum to the contract with EZ Dock Unlimited for the 2022 Schroderer Lane Bulkhead project in the amount of \$17,470.00.
2. The Mayor and Municipal Clerk are at this moment authorized to execute an addendum to the contract with EZ Dock Unlimited by the provisions of this resolution.
3. A certified copy of this resolution and a copy of the contract addendum between the parties will be forwarded to the Chief Financial Officer, and three (3) certified copies to be sent to the Municipal Engineer.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on September 14, 2022, at 7:30 pm in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved: Councilwoman Siciliano

Second: Councilman Russell

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

RESOLUTION 2022-148

WHEREAS, in a letter dated August 31, 2022, the Borough Engineer, Frank Little, recommends that the drainage pipe is not required provided the lots are filled and graded to direct water to the adjacent roadway; and

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Surf City that the Construction Department apply the recommendation of the Borough Engineer in the permit review process.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on September 14, 2022, at 7:30 pm in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved: Councilman McMenamin

Second: Councilman Russell

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

RESOLUTION 2022-149

WHEREAS, the Borough of Surf City needs the services of the following professional as a non-fair and open contract under the provisions of N.J.S.A. 19:44A-20.4 or 20.5: Municipal Prosecutor and Alternate Prosecutors.

WHEREAS, the Chief Financial Officer has determined and certified that the value of the acquisition may exceed \$17,500, the maximum amount of the contract to be awarded under this Resolution is outlined in the 2022 Municipal Budget: and

WHEREAS, funds are available for this purpose as certified by the Chief Financial Officer; and

WHEREAS, the listed individuals have submitted a proposal indicating they will provide the related services per their schedule of rates, as attached or included in the agreement; and

WHEREAS, the listed individuals have completed and submitted a Business Entity Disclosure Certification, which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Surf City in the previous year and that the contract will prohibit them from making any reportable contributions through the term of the agreement, and

WHEREAS, the Local Public professional be made available for public inspection.

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 following be appointed for the Borough of Surf City for a term of one (1) year, commencing January 1, 2022, and ending December 31, 2022.

Alternate Prosecutor David Bakardjiev

2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached amended agreement with said professional.

3. These contracts are without competitive bidding. They are awarded as a professional service by N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized to practice a recognized profession.

4. A notice of this action shall be printed once in the official newspaper of the Borough of Surf City.

5. This resolution takes effect on January 1, 2022.

6. The Borough Clerk shall provide a certified copy of this Resolution to the Chief Financial Officer and each professional.

7. That a certificate of availability of funds executed by the Chief Financial Officer is

annexed hereto.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on September 14, 2022, at 7:30 pm in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved: Councilman Russell

Second: Councilman McMenamin

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

RESOLUTION 2022-150

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that the application for junior membership in the Surf City Volunteer Fire Co. submitted by Christopher Adams is hereby approved.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on September 14, 2022, at 7:30 pm in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved: Councilwoman Siciliano

Second: Councilman Wm. Hodgson

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

RESOLUTION 2022-151

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

WHEREAS, Governor Philip 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

NOW, THEREFORE BE IT RESOLVED by the Governing Body of Surf City that the ban of amplified music be temporarily suspended, effective immediately, with the following provisions.

1. Outdoor amplified/live music be permitted from:
 - a. 3:00 pm until 8:00 pm, on Thursday, Friday & Saturday.
 - b. 2:00 pm until 6:00 pm on Sundays.
2. Effective September 15, 2022, until December 31, 2022, unless terminated by Mayor or Council.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on September 14, 2022, at 7:30 pm in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved: Councilwoman Siciliano

Second: Councilman Russell

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

RESOLUTION 2022-152

NOW, THEREFORE, BE IT RESOLVED that the following salaries be adjusted to \$17.00 per hour for the following employees, effective October 1, 2022, to December 31, 2022.

Terry Brennan
Alex Buck
Jacob Ceekler
Adam Childs
Brandon Cushman
Michael Mosher
Michael McCarthy
Anthony Triola
Isaiah Cortes
Matt Fishman
Gary Ruhmshottell
Connor Calnan
Keith Sprague

NOW, THEREFORE, BE IT FURTHER RESOLVED that Leonard Wilson be appointed as the acting Borough Superintendent at a rate of \$55,000.00.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on September 14, 2022, at 7:30 pm in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved: Councilman McMenamin

Second: Councilwoman Siciliano

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

RESOLUTION 2022-153

NOW, THEREFORE, BE IT RESOLVED that the following individuals be appointed to the Lifeguard Department effective August 26, 2022, at the corresponding weekly rate of pay, pending satisfactory approval of a physical and all eligibility requirements have been met before the start date. Said appointments shall terminate on September 17, 2022.

Kyle Randazzo, 1st Year Guard at \$15.00 per hour.

Adam Clay, 4th Year Guard at \$17.00 per hour.

Brittney Histing, 10th Year Guard at \$19.00 per hour.

NOW, THEREFORE, BE IT FURTHER RESOLVED Charlie Osborne and CJ Turner shall be paid an hourly rate of \$17.00 off-season preparatory work, all hours to be approved by the Administrator, effective shall terminate on October 31, 2022; and

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on September 14, 2022, at 7:30 pm in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved: Councilman Russell

Second: Councilman Wm. Hodgson

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

RESOLUTION 2022-154

NOW, THEREFORE, BE IT RESOLVED that the following listed individual is an appointed seasonal employee in the Bathing Beach Department, effective September 1, 2022, and shall terminate on September 5, 2022, at the corresponding rate of pay.

BOAT RAMP ATTENDANT/BEACH BADGE CHECKER/SELLER at \$15.00 per hour Kieran Watt.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution duly adopted by the Governing Body at a meeting held on September 14, 2022, at 7:30 PM in the Council Chambers at 813 Long Beach Boulevard Surf City, NJ.

CHRISTINE HANNEMANN, RMC/CMR/QPA
Municipal Clerk/Administrator

Moved: Councilman Hartney

Second: Councilman Russell

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