

**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 Beach Haven Times on January 12, 2023.

Roll call reflected the following members present: Councilman Peter M. Hartney, Council President William D. Hodgson, Councilman Gerry P. Little, Councilman John D. McMenemy, Councilman James B. Russell, Councilwoman Jacqueline L. Siciliano & Mayor Francis R. Hodgson. Absent: none.

Councilman Russell moved to approve January 4, 2023, reorganization and regular minutes. Councilmen McMenemy seconded the motion. With a vote in the affirmative, the minutes were approved.

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

Councilman Russell moved to approve Ordinance 2023-04 as introduced and read by title. Councilman McMenemy seconded the motion. With a vote in the affirmative, the following was approved by title. This ordinance requires insurance registration for businesses and rental owners.

ORDINANCE 2023-04

ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER II OF THE BOROUGH CODE OF THE BOROUGH OF SURF CITY ENTITLED "INSURANCE" TO ESTABLISH NEW ARTICLE IX ENTITLED "ANNUAL REGISTRATION OF CERTIFICATES OF INSURANCE" SO AS TO COMPLY WITH THE PROVISIONS OF P.L.2022, C.92 REQUIRING MUNICIPAL INSURANCE REGISTRATION FOR CERTAIN BUSINESS AND RENTAL OWNERS WITHIN THE BOROUGH.

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

Councilman Russell moved to approve Ordinance 2023-05 as introduced and read by title. Councilwoman Siciliano seconded the motion. With a vote in the affirmative, the following was approved by title. This ordinance permits the Borough to install stop signs on the through streets that intersect the Long Beach Island service road.

ORDINANCE 2023-05

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 SECTION 24 PERTAINS TO "POLICE REGULATIONS."

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

Councilman Russell moved to open the public hearing for Bond Ordinance 2023-01. Councilman Hartney seconded the motion. With a vote in the affirmative, the public hearing was opened.

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

There were no comments. Councilman Russell moved to close the public hearing for Bond Ordinance 2023-01. Councilwoman Siciliano 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. Little, Mr. McMenamain, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Russell moved to adopt Bond Ordinance 2023-01, read by title. Councilwoman Siciliano seconded the motion. With a vote in the affirmative, the following was approved by title. This ordinance authorizes the spending for the SFY NJDOT 2022 N. 8th Street Road Reconstruction Project.

BOND ORDINANCE 2023-01

BOND ORDINANCE PROVIDING FOR ROAD RECONSTRUCTION AND IMPROVEMENTS, APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$760,000 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. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamain, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Russell moved to open the public hearing for Ordinance 2023-02. Councilman Hartney seconded the motion. With a vote in the affirmative, the public hearing was opened.

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

There were no comments. Councilman Russell moved to close the public hearing for Bond Ordinance 2023-02. Councilwoman Siciliano 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. Little, Mr. McMenamin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Russell moved to adopt Ordinance 2023-02 as read by title. Councilman Little seconded the motion. With a vote in the affirmative, the following was approved by title. This ordinance fixes and amends the base salary of certain officers and employees.

ORDINANCE 2023-02

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 4 PERTAINS TO "POLICE REGULATIONS. "

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

Councilman Russell moved to open the public hearing for Bond Ordinance 2023-03. Councilman Hartney seconded the motion. With a vote in the affirmative, the public hearing was opened. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

There were no comments. Councilman Russell moved to close the public hearing for Bond Ordinance 2023-03. Councilwoman Siciliano 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. Little, Mr. McMenamin, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Russell moved to adopt Ordinance 2023-03 as introduced and read by title. Councilman Wm. Hodgson seconded the motion. With a vote in the affirmative, the following was approved by title. This ordinance authorizes the Borough Council to authorize noise for business establishments in the business zone by resolution.

ORDINANCE 2023-03

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 4 PERTAINS TO "POLICE REGULATIONS."

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

Resolutions 2023-34 through 2023-48 and 2023-58 were considered and approved, as attached.

Mayor F. Hodgson provided the December 2022 Chief Financial and Municipal Court Reports.

Councilman McMenamin provided the sanitation report.

Councilman Russell mentioned that the lifeguard in training program was at capacity, and the lifeguard captain is preparing for the 2023 season. The roof and playground will be getting some

much-needed repairs. Councilman Russell moved to approve Resolution 2023-49, as attached. Councilman Hartney seconded the motion. With a vote in the affirmative, Resolution 2023-49 accepting donations for the beach patrol was approved. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamain, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Council President Wm. Hodgson provided the statistical report for the police department. He explained that an officer had been placed at the EJ School as part of the school resource officer program. Council President Wm. Hodgson moved to approve Resolution 2023-50, as attached. Councilman Hartney seconded the motion. With a vote in the affirmative, Resolution 2023-50 accepting donations for the police department was approved. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamain, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilwoman Siciliano provided a timeline and status update on upcoming road reconstruction projects at N. 1st, N. 3rd, and Shore Avenue. The annual street sweeping program is set to take place the first week of May 2023. She had contacted the NJDOT for an update on the project on the 8th & 9th Streets in Ship Bottom. The State has confirmed that they expect the end of the project to be extended until December 2024. Councilwoman Siciliano also reported to the NJDOT that the traffic lights on Central Avenue and the causeway were set to change too quickly.

Councilman Hartney thanked everyone in the community for their support concerning the fire at the Fire company. We passed a resolution calling for a moratorium on offshore windmills. It should be noted that PSE & G has sold its equity to Orstead. Now Orstead is the sole owner with private foreign control. Two gators have been ordered and funded by grant and beach revenue. Starting May 1st the beach badge reservation system will be ready for online sales.

Councilman Little provided the statistical report for the water and sewer department. The water department had several after-hour emergencies for some frozen pipes. We passed a resolution for the touch screens for Well 7. He congratulated Mayor F. Hodgson because his son, Francis Hodgson, has recently been appointed as the assignment judge for the Ocean County Vicinage.

A request for a memorial bench was received from Gene and Lynn Cowden to be located at N. 24th Street and the Bay. Councilman Russell moved to approve the Superintendent to oversee the process. Councilman Hartney seconded the motion. With a vote in the affirmative, the request was approved. Roll call reflected the following votes in approval: Mr. Wm. Hodgson, Mr. Little, Mr. McMenamain, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Hartney.

A request for a memorial bench was received from Brian Albano to be located at Division Street and the Bay. Councilman Russell moved to approve the Superintendent to oversee the process. Councilman Hartney seconded the motion. With a vote in the affirmative, the

February 8, 2023

request was approved. Roll call reflected the following votes in approval: Mr. Wm. Hodgson, Mr. Little, Mr. McMenamain, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Hartney.

Letter received from Dan Malay representing the Surf City Business Cooperative requesting live outdoor music be permitted. Colleen & Greg Gewirtz, Matt Nichols, and Council discussed the details of the outdoor dining and music proposal. Todd spoke to object to the proposal. Council President Wm. Hodgson explained that businesses would need to apply to the Land Use Board next year to extend seating and host bands outside. Councilman Russell moved to approve Resolution 2023-54. Councilman Hartney seconded it with a vote in the affirmative, Resolution 2023-54. Roll call reflected the following votes in approval: Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamain, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Russell moved to approve paying the bills. Councilwoman Siciliano seconded the motion. With a vote in the affirmative of the members present, 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	\$182,804.38
Current	\$2,771,120.84
Payroll Account	\$249,132.93
Dog License Account	\$27.60
Ice Cream Vendor Account	\$0.00
Escrow Release	\$7,022.15
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 Wm. Hodgson Councilman Hartney Councilman Russell

Date: February 8, 2023 /s/ Francis R. Hodgson, Mayor

Councilman Russell moved to adjourn the meeting. Councilwoman Siciliano seconded the motion. With a vote in the affirmative., the meeting was adjourned. Roll call reflected the following votes in approval: Mr. Wm. Hodgson, Mr. Little, Mr. McMenamain, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: Mr. Hartney.

Respectfully submitted,



Christine Hannemann, RMC/CMR/QPA

Borough Clerk/Administrator

RESOLUTION 2023-34 OF THE BOROUGH OF SURF CITY APPROVING SUBMISSION
OF CORRECTIVE ACTION PLAN FOR 2021 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk, pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

WHEREAS, the Chief Financial Officer has prepared the attached Corrective Action Plan for the 2021 Annual Audit, responding to the Schedule of Findings and Recommendations.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Surf City, that the attached Corrective Action Plan for the 2021 Audit is hereby approved for submission to the Division of Local Government Services New Jersey Department of Community Affairs.

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 February 8, 2023, 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 by: Councilman Russell

Second: Councilman Hartney

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

RESOLUTION 2023-35

RESOLUTION OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF SURF CITY AND THE COUNTY OF OCEAN FOR THE PROSECUTOR'S FATAL ACCIDENT SUPPORT TEAM PROGRAM.

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes the Borough of Surf City to enter a contract for the provision of certain governmental services with the County of Ocean; and

WHEREAS, N.J.S.A. 40A:65-5 requires that such a contract be authorized by resolution; and

WHEREAS, it is the desire of the Borough of Surf City to authorize the execution of a Shared Services Agreement with the County of Ocean for the Prosecutors Fatal Accident Support Team Program (F.A.S.T.) FY 2023.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute a Shared Services Agreement with the County of Ocean for the Prosecutors F.A.S.T. Program, in accordance with the terms of said agreement.
2. A copy of this agreement shall be kept on file and be available for public inspection in the office of the Municipal Clerk.
3. A certified copy of this resolution shall be forwarded to the County of Ocean.

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 February 08, 2023, at 7:30 P.M. in the Council Chambers located at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved by: Councilman Russell

Second: Councilman Hartney

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

RESOLUTION 2023-37

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City in the County of Ocean that the Borough of Surf City hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 311 in 2019. Documentation supporting this submission is available at the Borough Hall and shall be maintained for no less than five (5) years from this date.

BE IT FURTHER RESOLVED that the authorization be and is hereby given to proceed with the application for a Recycling Tonnage Grant.

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 February 08, 2023, at 7:30 P.M. in the Council Chambers located at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved by: Councilman Russell

Second: Councilman McMenamin

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

RESOLUTION 2023-38

WHEREAS, N.J.S.A. 13:1E-99.16 provides that each municipality in the State of New Jersey shall designate one or more persons as the Municipal Certified Recycling Professional, as certified by the Department of Environmental Protection; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Surf City that Sean McLaughlin, Certified Recycling Professional, hereby be appointed and designated to the duties as provided in N.J.S.A. 13:1E-99.16 at an annual rate of \$600.

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 February 8, 2023, 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 by: Councilman Hartney

Second: Councilman Russell

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

RESOLUTION NO. 2023-39

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

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

WHEREAS, in accordance with the agreement executed between the County and the Borough requires the Borough to send a letter to each residential property owner notifying them of the responsibility; and

WHEREAS, the Borough has notified all residential property owners in the 2022 Mayor’s Spring letter mailing; and

WHEREAS, the Borough has processed one hundred sixty-nine applications with residential certifications in lieu of inspections; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Surf City that authority is given to Mayor F. Hodgson to certify this resolution that the Borough of Surf City has met the requirements of the Uniform Fire Safety Act. N.J.S.A. 42:27D-192 et seq. and N.J.A.C. 5:70-1.1 et seq in accordance with the agreement.

I, FRANCIS R. HODGSON, Mayor of the Borough of Surf City, do hereby certify the facts of the foregoing resolution.

FRANCIS R. HODGSON
Mayor of Surf City

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 February 08, 2023, at 7:30 P.M. in the Council Chambers located at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved by: Councilman Russell

Second: Councilman McMenamin

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

RESOLUTION 2023-40

WHEREAS, the Governing Body of the Borough of Surf City, under N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the direction of the Qualified Purchasing Agent; and

WHEREAS, under Ordinance 2-11.2, the purchase may be issued over the amount of \$2,000 with the approval of the Mayor & Council; and

NOW, THEREFORE, BE IT RESOLVED by the Borough of Surf Governing Body that the Department of Finance issue the final purchase orders for the following items in the corresponding approximate amounts.

<u>Item</u>	<u>Department</u>	<u>Approx. Amount</u>	<u>Vendor</u>
2 Gator ATV's	Beaches/ADA	\$36,592.88	Central Jersey Equipment
Recreation Equipment	Public Property	\$7,174.37	Game Time
Beach Badges	Beaches	\$25,305.00	Jersey Cape Diagnostic
Carpet Cleaning	Public Property	\$3,900.00	Stanley Steamer
Well 7 Touch Screen	W&S	\$3,568.26	C&D Instrument Services
Beach Entry Signs	Beaches	\$6,996.00	Typestries

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 February 8, 2023, 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 by: Councilwoman Siciliano

Second: Councilman McMenamin

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

RESOLUTION 2023-41

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF SURF CITY AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE.

WHEREAS, the Borough of Surf City has determined that the personal property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Borough of Surf City intends to utilize the online auction services of GovDeals located at www.govdeals.com; and

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City in the County of Ocean, State of New Jersey, that the Qualified Purchasing Agent is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled www.govdeals.com; and be it further

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between GovDeals and the Borough of Surf City are available at www.GovDeals.com and in the Borough Clerk's office.

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 February 08, 2023, at 7:30 P.M. in the Council Chambers located at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved by: Councilwoman Siciliano

Second: Councilman Russell

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

RESOLUTION 2023-42

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Surf City that the Chief Financial Officer be and is hereby authorized to pay the State of New Jersey, Department of Environmental Protection Environmental Annual Site Remediation fee in the amount of \$3,460.00.

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 proclamation duly adopted by the Governing Body at a meeting held on February 08, 2023 in the Council Chambers at 813 Long Beach Boulevard Surf City, NJ 08008.

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

Moved by: Councilman Russell

Second: Councilman McMenamin

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

RESOLUTION 2023-43

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; and

WHEREAS, the below listed person(s) posted a guarantee in the corresponding amount prior to the exchange of ownership; and

WHEREAS, The Zoning Official made a final inspection and approved same to be in conformance with the Borough ordinances; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, that the following guarantee may be released.

- Bryan Perler for curbs at 217 N. 10th Street in the amount of \$5,000.

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 February 08, 2023, at 7:30 P.M. in the Council Chambers located at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved by: Councilman Russell

Second: Councilwoman Siciliano

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

RESOLUTION 2023-44

“A RESOLUTION OF THE BOROUGH COUNCIL CALLING FOR AN IMMEDIATE MORATORIUM ON OFFSHORE WIND DEVELOPMENT PENDING A THOROUGH INVESTIGATION INTO THE UNPRECEDENTED DEATHS OF WHALES”

WHEREAS, the Mayor and Borough Council of the Borough of Surf City are calling for immediate suspension of all offshore wind development activity until a comprehensive, thorough investigation is held by federal and state agencies that confidently concludes that these activities are not a contributing factor to recent whale deaths; and

WHEREAS, PSEG has sold their twenty-five percent share to a private, foreign company known as Orstead, the sole owner of the project; and

WHEREAS, the marine mammal population has seen seven (7) tragic deaths of whales on the coasts stretching from New York to New Jersey in a brief period of time; and

WHEREAS, The Surf City community is heartbroken over the latest young whale to wash ashore on January 12th, 2023; and

WHEREAS, The Surf City community supports a clean energy program but seeks first to understand the cause of these tragic deaths fully and what can be done to prevent future losses; and

WHEREAS, United States Congressman Jeff Van Drew and State Senator Christopher J. Connors have expressed opposition to moving forward with offshore wind projects pending further research of the disclosed impacts of such projects on the environment and fishing industry; and

WHEREAS, the Mayor and Borough Council of Surf City are of the opinion that offshore activity should be suspended pending further research as to the potential impact such activity has on whales and other marine life; and

NOW, THEREFORE, the Mayor and Borough Council state they affirmatively support the position of United States Congressman Van Drew and State Senator Christopher J. Connors and endorse and appreciate their efforts in this matter; and

BE IT FURTHER RESOLVED, the Mayor and Borough Council shall share its expression by forwarding a copy of this Resolution to members of the United States House of Representatives and United States Senate representing the Borough of Surf City and representing the State of New Jersey; and

BE IT FURTHER RESOLVED that Mayor and Borough Council shall also share this Resolution with the Members of the New Jersey State Senate and the New Jersey General Assembly; and

BE IT FURTHER RESOLVED that Mayor and Borough Council shall also share this Resolution with the Governor of the State of New Jersey; and

BE IT FURTHER RESOLVED that Mayor and Borough Council shall also share this Resolution with the members of the Ocean County Board of Commissioners.

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 February 8, 2023, 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 by: Councilman McMenamin

Second: Councilman Russell

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

RESOLUTION 2023-45

WHEREAS, in accordance with 40A:14-191 et seq., the Surf City Volunteer Fire Company and Emergency Medical Services has submitted the list of membership qualifying for the Length of Service Awards Program for the year 2022; and

WHEREAS, in accordance with said statutory provisions, a review of the list has been performed by the Municipal Clerk's office and same has been found to be accurate; and

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that in accordance with the law, the Governing Body hereby authorizes the posting of the list of eligible members, in accordance with the law.

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 February 08, 2023, at 7:30 P.M. in the Council Chambers located at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved by: Councilman McMenamin

Second: Councilman Little

Roll call reflected the following votes in approval: Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none. Mr. Hartney & Mr. Russell recused themselves from this item of business.

RESOLUTION 2023-46

WHEREAS, the Women's Auxiliary of the Surf City Vol. Fire Company #1 and EMS has applied for a license for an on-premises 50/50 raffle to take place on May 6, 2023 with an alternate date of June 24, 2023 from 5 pm to 10 pm: 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 23-01 be issued for on-premises 50/50 raffle to be held on May 6, 2023 from 5 pm to 10 pm with an alternate date of June 24, 2023 from 5 pm to 10 pm; and

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

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 February 08, 2023, at 7:30 P.M. in the Council Chambers located at 813 Long Beach Boulevard, Surf City, NJ.

CHRISTINE HANNEMANN, RMC/CMR/QPA

Municipal Clerk/Administrator

Moved by: Councilman McMenamin

Second: Councilman Little

Roll call reflected the following votes in approval: Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none. Mr. Hartney & Mr. Russell recused themselves from this item of business.

RESOLUTION 2023-47

WHEREAS, the Women's Auxiliary of the Surf City Vol. Fire Company #1 and EMS has applied for a license for an on-premises merchandise raffle to take place on May 6, 2023 with an alternate date of June 24, 2023 from 5 pm to 10 pm : 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 23-02 be issued for on-premises merchandise raffle to be held on May 6, 2023 from 5 pm to 10 pm with an alternate date of June 24, 2023 from 5 pm to 10 pm; and

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

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 February 08, 2023 at 7:30 P.M. in the Council Chambers located at 813 Long Beach Boulevard, Surf City, NJ.

CHRISTINE HANNEMANN, RMC/CMR/QPA

Municipal Clerk/Administrator

Moved by: Councilman McMenamin

Second: Councilman Little

Roll call reflected the following votes in approval: Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none. Mr. Hartney & Mr. Russell recused themselves from this item of business.

RESOLUTION 2023-48

WHEREAS, the Women's Auxiliary of the Surf City Vol. Fire Company #1 and EMS has applied for a license for an on-premises Bingo game to take place on May 6, 2023 with an alternate date of June 24, 2023 from 5 pm to 10 pm : 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 23-03 be issued for on-premises Bingo game to be held on May 6, 2023 from 5 pm to 10 pm with an alternate date of June 24, 2023 from 5 pm to 10 pm; and

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

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 February 08, 2023 at 7:30 P.M. in the Council Chambers located at 813 Long Beach Boulevard, Surf City, NJ.

CHRISTINE HANNEMANN, RMC/CMR/QPA

Municipal Clerk/Administrator

Moved by: Councilman McMenamin

Second: Councilman Little

Roll call reflected the following votes in approval: Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none. Mr. Hartney & Mr. Russell recused themselves from this item of business.

RESOLUTION 2023-49

WHEREAS, Ryan and Tara Todd have presented a donation in the amount of \$1,125; and

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

WHEREAS, William Kearns has presented a donation in the amount of \$1,125; and

WHEREAS, he desires to utilize the funds for Beach Patrol Rescue Boards; and

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Surf City graciously accept the donations made by Ryan and Tara Todd and William Kearns pursuant to 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 February 08, 2023 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 by: Councilman Russell

Second: Councilman Little

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

RESOLUTION 2023-50

NOW, THEREFORE, BE IT RESOLVED that the following individuals be authorized to attend the respective courses at the corresponding rate of pay without benefits.

Class II Special Officers

Damian Morrone at \$15.25 per hour.

Daniel Burgess at \$15.25 per hour.

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 February 08, 2023, at 7:30 P.M. in the Council Chambers located at 813 Long Beach Boulevard, Surf City, NJ.

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

Moved by: Council President Wm. Hodgson

Second: Councilman Hartney

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

RESOLUTION 2023-51

WHEREAS, Marty Levandowski has presented a donation in the amount of \$1,000.00;
and

WHEREAS, they desire to utilize the funds for the Police Department for life saving
equipment; and

NOW, THEREFORE BE IT RESOLVED NOW, THEREFORE BE IT RESOLVED that the
Governing Body of the Borough of Surf City graciously accept the donation made by Marty
Levandowski pursuant to 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 February 08, 2023, 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 by: Council President Wm. Hodgson

Second: Councilman Hartney

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

RESOLUTION 2023-52

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Surf City that the qualified purchasing agent proceeds with the purchase of beach badge software services from Edmunds GovTech in the amount of \$4,500.00.

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 February 08, 2023, 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 by: Councilman Hartney

Second: Councilman Russell

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

RESOLUTION 2023-53

RESOLUTION OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN ADDENDUM TO THE CONTRACT WITH SHORE TOP CONSTRUCTION FOR THE 2020 ROAD RECONSTRUCTION PROJECT FOR N. 1ST STREET, N. 3RD STREET, AND SCHODERER LANE

WHEREAS, a contract was previously awarded to Black Rock Enterprises for the 2020 NJDOT Road Reconstruction Project for N. 1st Street, N. 3rd Street, and Schoderer Lane; and

WHEREAS, the original contract for said work was in the amount of \$591,540.00; and

WHEREAS, the Governing Body wishes to authorize Change Order No 1, which will result in an overall change reduction of \$30,706.78 in the contract price; and

WHEREAS, this change order amounts to a total of 5.19 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 Black Rock Enterprises for the 2020 NJDOT Road Reconstruction Project for N. 1st Street, N. 3rd Street, and Schoderer Lane with a decrease of \$30,706.78 in the contract price.
2. That the Mayor and Municipal Clerk are hereby authorized to execute an addendum to the contract with Shore Top Construction 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.

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 February 8, 2023, 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 by: Councilwoman Siciliano

Second: Councilman Hartney

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

RESOLUTION 2023-54

WHEREAS, on March 9, 2020, Governor Philip D. Murphy declared a 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 on amplified music be temporarily suspended, effective immediately, with the following provisions.

1. Outdoor amplified/live music be permitted, as follows.
 - a. "Live music" on Thursday – Sunday, from 3:00 pm through 8:00 pm
 - b. "Background recorded music" on Monday - Sunday from 12:00 pm through 9:00 pm.
 - c. Live music is defined as a solo or duo performer(s) with the aid of a microphone and speaker.
2. Effective immediately through September 30, 2023, unless terminated by Mayor or Council.
3. The collective number of seats utilized between indoor and outdoor seats shall not exceed the total approved seats by the site plan.
4. All other outdoor dining provisions of Ordinance 30-5.2(f) are in effect, including that the outdoor dining area shall be closed with all patrons indoors at 10:00 pm daily.

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 February 8, 2023, 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 by: Councilman Russell

Second: Councilman Hartney

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