

**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 April 12, 2023, regular minutes. Councilman Hartney seconded the motion. With a vote in the affirmative, the minutes were approved.

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

Councilman Russell moved to open the public hearing for Ordinance 2023-08. 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. McMenemy, 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 2023-08. Councilwoman Siciliano seconded the motion. 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 Hartney moved to adopt Ordinance 2023-08, read by title. Councilman Russell seconded the motion. With a vote in the affirmative, the following was approved by title. This ordinance authorizes the sale of a portion of North 7th Street in accordance with N.J.S.A. 40A:12-13(b)(5).

ORDINANCE 2023-08

**ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE SALE OF A PORTION OF NORTH 7TH STREET IN ACCORDANCE WITH
N.J.S.A. 40A:12-13(B)(5).**

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 open the public hearing for Ordinance 2023-09. 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. McMenemy, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

There were no comments. Councilman Russell moved to close the public hearing for Ordinance 2023-09. Councilwoman Siciliano seconded the motion. 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 Hartney moved to adopt Ordinance 2023-09, read by title. Councilman Russell seconded the motion. With a vote in the affirmative, the following was approved by title. This ordinance is to exceed the municipal budget appropriation limits and to establish a cap bank in accordance with N.J.S.A. 40A: 4-45.14.

ORDINANCE 2023-09

ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
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. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenemy, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Resolutions 2023-77 through 2023-86 were considered and approved, as attached.

Mayor F. Hodgson provided the March 2023 Chief Financial and Municipal Court reports.

Councilman McMenemy provided the sanitation report. He moved Resolution 2023-87.

Councilman Hartney seconded the motion. With a vote in the affirmative, Resolution 2023-87 was approved, as attached. Councilman McMenemy then moved Resolution 2023-88.

Councilman Russell seconded the motion. With a vote in the affirmative, Resolution 2023-88 was approved, as attached.

Councilman Russell reported that eight Gator ATV drivers had been hired, and we are looking for two more. We have received \$62,500 for the pickleball project. We are waiting for the state agreement so that we can go to bid on the work. Plans are in the works to overlay and stripe the basketball court. He then moved Resolution 2023-91. Councilman Hartney seconded it. With a vote in the affirmative, it was approved, as attached.

Council President Wm. Hodgson read the statistical report for the Police Department for April.

On April 22, the department hosted Operation Take Back. We encourage the public to bring expired medications for safe disposal and appreciate all the participation. The Borough needs Class II, police officers. He explained the general duties of a Class I officer. He wants to add certain departments that have established an association to hire officers. We have raised the salary to compete with Class II officers. Council President Wm. Hodgson moved Resolution 2023-90. Councilman McMenemy seconded the motion. With a vote in the affirmative, Resolution 2023-90 was approved, as attached.

May 10, 2023

Councilwoman Siciliano reported that street sweeping was completed last week. The corner of 13th Street & Central Avenue is being prepared for patching. The sand around N. 15th Street & was cleaned up. The Borough has received the annual invitation to apply for the FY 2023 NJDOT Road Improvement Grant. The Borough Engineer will evaluate and recommend the next set of streets for improvements. The N.8th Street project will be completed in the fall. The curb work will be completed on Friday for the road work at N. 1st, N. 3rd, and Shore Avenue. The paving will follow next week, as reported last month, right on time.

Councilman Hartney provided the beach badge report. He thinks we will see an uptick in sales on Mother's Day weekend. He participated in Barnegat Bay Blitz, and many kids participated. Some common items found were shotgun shells floating in from duck season. On the 21st, we met with Alliance for a Living Ocean. We had a good meeting. We have come to an understanding of creating a sponsorship program. We will also begin a public service campaign. It was disappointing to hear that people dropped trash where they stood. The flood control ordinance has significant fines for dumping trash. He proposed that the Borough Administrator formulate a sponsorship program along with the Chief Financial Officer. Specifications for cans will be presented to the environmental committee for approval. Councilman Hartney moved Resolution 2023-89. Councilman Russell seconded the motion. With a vote in the affirmative, Resolution 2023-89 was approved, as attached. He reminded everyone that on Saturday, May 27th, at 11 am, there will be a Memorial Service at Veteran's Park. He mentioned he is still looking for a trumpeter for the event. Councilman Russell added that Councilman Little had started the Memorial Day Service.

Councilman Little provided the water and sewer report for April. Everything went well with hydrant flushing. The water department has installed new touch screens in Well 6 and a new touch control system at Well 7.

Mayor F. Hodgson announced that we are looking into installing LED streetlights in town. We are now paying \$4,400 a month for lights, and the new lights will be around \$1,400 a month. He created a special committee, Council President Wm. Hodgson, Councilman Russell, and Councilwoman Siciliano will oversee the process.

Mayor asked if the pickleball committee get together with Councilman Russell to plan the schedule for the improvements.

A request was received from the Surf City Taxpayers Association for the annual calendar events.

A bike and pedestrian safety request were received from Jim Nast from the Surf City Taxpayers Association and was turned over to the Chief of Police.

Two memorial bench requests were received, one from Debbie Mundy and James O'Brien, and were turned over to the Borough Superintendent.

Steve O'Brien's address was not provided, asked me about the pickleball court timeline.

May 10, 2023

Suzanne Troy, Central Avenue, ongoing conversations about nuisance flooding. She got a copy of the Borough Master Plan and read through it. She discussed check valves and asked if the panel met with the Army Corp for a study.

Mayor F. Hodgson answered that the NJDEP did a study and did not report back. Federal monies became available for resiliency and were awarded to the municipalities on Long Beach Island. The funds were only used for engineers, not mitigation.

Mrs. Troy asked about the check valves.

Councilwoman Siciliano explained that the drainage and check valves are installed on each road reconstruction project. The conversation was ensured on the topic.

Councilman Russell moved to approve paying the bills. Councilwoman Siciliano seconded the motion. With a vote in the affirmative, the bills were 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.

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	\$240,098.77
Current	\$2,834,055.02
Payroll Account	\$194,923.81
Dog License Account	\$3.60
Ice Cream Vendor Account	\$0.00
Escrow Release	\$0.00
Tax Certificate Account	\$0.00

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

Date: May 10, 2023 /s/ Francis R. Hodgson, Mayor

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

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. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamain, Mr. Russell & Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Respectfully submitted,



Christine Hannemann, RMC/CMR/QPA

Borough Clerk/Administrator

ORDINANCE 2023-08

ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF A PORTION OF NORTH 7TH STREET IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5).

WHEREAS, the Borough of Surf City has received a request from the property owner of Block 103, Lot 28 to purchase a portion of property located at the end of North 7th Street as more particularly described in Schedule "A" which is attached hereto and made a part hereof; and

WHEREAS, said property is less than the minimum size required under the Municipal Zoning Ordinance and is without capital improvements thereon; and

WHEREAS, the owner of Block I 03, Lot 28 is the only contiguous property owner to the subject property; and

WHEREAS N.J.S.A. 40A:12-13.2 requires the municipality to first offer said property to the adjoining property owner(s) for purchase; and

WHEREAS, the municipality has established the fair market value for said property to be \$60,000.00; and

WHEREAS, the governing body desires to sell said property; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said property transfer by Ordinance.

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

SECTION 1. That in accordance with the requirements of N.J.S.A. 40A:12-13(b)(5), the governing body does hereby authorize the sale of property as set forth on Schedule "A" to Barnegat Way, LLC, the owner of Block 103, Lot 28, said property being less than the minimum size required for development under the Municipal Zoning Ordinance and said purchaser being the only contiguous property owner for the fair market value of \$60,000.00 plus costs for a total of \$67,000.00.

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary to transfer title to the said property to Barnegat Way, LLC for the sum of \$67,000.00, which is the fair market value of said property together with all costs associated with the sale of same.

SECTION 3. That said purchaser shall be responsible for the payment of the municipality's costs in conveying said property (i.e. attorney's fees, engineering fees, publication, and recording fees) which have been included in the total sale price of \$67,000.00.

SECTION 4. This Ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the forgoing Ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Surf City held on the 12th day of April 2023 and will be considered for second reading and final passage at a meeting of the Borough Council to be held on the 10th day of May 2023, at 7:30 p.m. at the Municipal Building, located at 813 Long Beach Boulevard, Surf City, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard. Copies of the Ordinance are available during regular business hours in the office of the Municipal Clerk or on the website www.surfcitynj.org.

CHRISTINE HANNEMANN, RMC/CMR/QPA
BOROUGH CLERK/ADMINISTRATOR

ORDINANCE 2023-09
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5%, unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate, as an exception, to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Surf City in the County of Ocean finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% percent increase in the budget for said year amounting to \$228,289.18 in excess of the increase in final appropriations, otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized, hereinabove, that is not appropriated, as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council, of the Borough of Surf City, in the County of Ocean, a majority of the full authorized membership of this governing body, affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Surf City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by three and one half (3.5 %) percent, amounting to \$228,289.18 and that the CY 2023 Municipal Budget for the Borough of Surf City be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated, as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance, as introduced, be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

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 passage, according to law.

NOTICE

Public notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Mayor and Council of the Borough of Surf City, County of Ocean, State of New Jersey, on Wednesday, April 12, 2023, at 7:30 PM in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

This ordinance to exceed the municipal budget appropriation limits and to establish a cap bank. n the CY 2023 budget year, the final appropriations of the Borough of Surf City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by three and one half (3.5 %) percent, amounting to \$228,289.18 and that the CY 2023 Municipal Budget for the Borough of Surf City be approved and adopted in accordance with this ordinance.

Further notice is given that said Ordinance will be considered for final passage and adoption, after public hearing, to be held at a regular meeting of the Mayor and Council on Wednesday, May 10, 2023 at 7:30 P.M. in the Municipal Building, 813 Long Beach Blvd., Surf City, New Jersey, at which time and place, any person desiring to be heard upon the same will be given the opportunity to be so heard. Full copies of the Ordinance will be available in the office of the municipal clerk's office and on the website www.surfcitynj.org.

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

RESOLUTION 2023-77 TO READ THE BUDGET BY TITLE ONLY AT THE PUBLIC
HEARING

WHEREAS, N.J.S.40A:4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing, a complete copy of the approved budget as advertised has been posted in the Borough Hall, a copy has been posted on the official website and copies have been made available by the Clerk to persons requiring them;

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED that the budget only be read by title.

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 May 10, 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: 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.

RESOLUTION 2023-78 TO ADOPT THE
2023 MUNICIPAL BUDGET

BE IT RESOLVED by the Borough Council of the Borough of Surf City, County of Ocean, that the budget, hereinbefore set forth, is hereby adopted and shall constitute an appropriation for the purposes stated herein set forth, as appropriations and authorization of the amount of \$4,765,000.00 to be raised by taxation for Municipal purposes.

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 May 10, 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: Councilman Hartney

Second: Councilman Little

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. 2023-79

**RESOLUTION OF THE BOROUGH OF SURF CITY,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO EARLE ASPHALT
CO. FOR THE SFY 2022 ROAD IMPROVEMENT
PROJECT-N. 8th STREET**

WHEREAS, the Borough of Surf City duly advertised for the receipt of bids for the SFY 2022 Road Improvement Project - N. 8th Street; and

WHEREAS, in response to the invitation to bidders, two (2) bids were received on May 4, 2023; and

WHEREAS, the bids were reviewed by the Borough Engineer and it has been determined that Earle Asphalt Co. has submitted the lowest responsible bid in accordance with the bid specifications, said bid being \$406,413.13; and

WHEREAS, it is the desire of the governing body to award a contract for the SFY 2022 Road Improvement Project - N. 8th Street to Earle Asphalt Co., the lowest responsible bidder.

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 award a contract for the SFY 2022 Road Improvement Project - N. 8th Street to Earle Asphalt Co. at \$406,413.13.
2. That the Mayor and Municipal Clerk are hereby authorized to execute a contract with Earle Asphalt Co. in accordance with the bid submitted by Earle Asphalt Co., and the bid specifications.

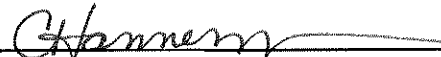
3. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line-item appropriations or ordinances which constitute the availability of funds for this contract:

C-04-55-915-921.

4. That a certified copy of this resolution, together with a copy of the contract between the parties, be forwarded to the Chief Financial Officer and to Earle Asphalt Co.

CERTIFICATION

I, CHRISTINE HANNEMANN, Clerk of the Borough of Surf City, do hereby certify that the foregoing resolution was duly adopted by the Borough of Surf City at a meeting held on the 10th day of May 2023.


CHRISTINE HANNEMANN, RMC/CMR/QPA
Borough Clerk, Borough of Surf City

Moved: 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.

DASTI, MURPHY
McGUCKIN, ULAKY,
& CONNORS

COUNSELLORS AT LAW

620 WEST LACEY ROAD

FORKED RIVER, N.J. 08731

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Michael Gross, Chief Financial Officer for the Borough of Surf City do hereby certify that adequate funds are available for a contract with Earle Asphalt Co. for the SFY 2022 Road Improvement Project - N. 8th Street in the amount of \$406,413.13.

The funds which are available for this contract are found in the following line-item appropriations or ordinances: C-04-55-915-92.1



MICHAEL GROSS, Chief Financial Officer, Borough of Surf City

DASTI, MURPHY
McGUCKIN, ULAKY,
& CONNORS
COUNSELLORS AT LAW
620 WEST LACEY ROAD
FORKED RIVER, N.J. 08731

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RESOLUTION 2023-80

WHEREAS, the Length of Service Award Program list was posted at Borough Hall and delivered to the Long Beach Township municipal clerk for public inspection; and

WHEREAS, the members on the list have been qualified; and

NOW, THEREFORE, BE IT RESOLVED that authorization be given to the Chief Financial Officer to release the length of service funds to Lincoln Financial for qualifying members of \$39,936.00.

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 duly adopted by the Governing Body at a meeting held on May 10, 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: Councilman McMenamin

Second: Councilman Little

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 2023-81

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 Regulation fee in the amount of \$1,050.00.

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 duly adopted by the Governing Body at a meeting held on May 10, 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: 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 2023-82

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>
Badge checker uniforms	Beaches	\$2,472.91	Original Watermen, Inc
Lifeguard & LIT Uniforms	Beaches	\$11,304.50	Shore Promotions
Trash Truck Repairs	Sanitation	\$6,618.39	Bellmawr Truck Repair
Holiday lights	Public property	\$6,500.00	Holiday Outdoor Decor.

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 May 10, 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: 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.

RESOLUTION 2023-83

RESOLUTION AUTHORIZING THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY THROUGH THE SURF CITY POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE SURF CITY CHIEF OF POLICE TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT.

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, resiliency; and

WHEREAS, although the property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Surf City that the Surf City Chief of Police is hereby authorized to enroll in the 1033 Program for no more than one year, with authorization to participate terminating on December 31 of the current calendar year from May 5, 2023, to December 31, 2023; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Surf City Chief of Police is hereby authorized with the written consent of the Borough Administrator to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other

supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period for which this resolution authorizes, based on the needs of the Surf City Police Department, without restriction; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Surf City Police Department is hereby authorized to acquire the “DEMIL B through Q” property as listed in Attachment A if it shall become available in the period for which this resolution authorizes; and

BE IT FURTHER RESOLVED that the Surf City Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Surf City Police Department shall provide a quarterly accounting of all property to the Borough Administrator obtained through the 1033 Program, which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period for which this resolution authorizes: with Program participation and all property request authorization terminating on December 31st of the current calendar year from May 11, 2023 to December 31, 2023.

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 May 10, 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: Councilman 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 2023-83

ATTACHMENT A

LISTING OF APPROVED "DEMIL B THROUGH Q" CONTROLLED PROPERTY

<u>NAME</u>	<u>QUANTITY</u>
AUTOMOBILE, SEDAN	1
AUTOMOBILE, WAGON	1
SIGHT, THERMAL	10
TRUCK, TRACTOR	1
TRUCK, AMBULANCE	2
TRUCK, CARGO	1
TRUCK, CARRYALL	1
TRUCK, COMMAND RECONNAISSANCE	1
TRUCK, DUMP	2
TRUCK, MATERIALS HANDING-CONTAINER HOISTING	1
TRUCK, PANEL	1
TRUCK, STAKE	1
TRUCK, TANK	1
TRUCK, UTILITY	2
TRUCK, VAN	1
TRUCKS AND TRUCK TRACTORS, DEMIL C	1
UTILITY VEHICLE, OFFROAD	1
BREACHING RAM	2

RESOLUTION 2023-84

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Surf City that authorization be hereby given to the Borough Administrator and Engineer to apply for the 2023 NJDEP Stormwater Grant in the amount of \$25,000.00.

BE IT FURTHER RESOLVED that the grant funds be allocated to cover the cost of the mandated map requirements with the R9 MS4 Tier A Permit.

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 May 10, 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: Councilman Hartney

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 2023-85

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF BEACH HAVEN, AS LEAD AGENCY, SURF CITY, HARVEY CEDARS AND BARNEGAT LIGHT FOR CONSTRUCTION CODE ENFORCEMENT SERVICES

WHEREAS, the Borough of Surf City duly adopted Resolution 2022-171 approving a shared service agreement between the Boroughs of Beach Haven, Surf City, Harvey Cedars, and Barnegat Light for Construction Code Enforcement Services on November 8, 2022; and

WHEREAS, Beach Haven was subsequently informed by the Department of Community Affairs that shared service agreements for Construction Code Enforcement must be four (4) years in length, pursuant to UCC 5:23-4.6(b)2; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Beach Haven, County of Ocean, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized and directed to enter into and execute an AMENDMENT to the Shared Services Agreement with the municipalities of Surf City, Harvey Cedars and Barnegat Light for the provision of Uniform Construction Code enforcement and administration services.
2. A copy of the AMENDED agreement shall be kept on file and be available for public inspection at the office of the Borough Clerk.
3. The AMENDED agreement shall be extended and effective for a period of four (4) years, expiring on December 31, 2026.
4. A certified copy of this resolution shall be forwarded to the Borough of Surf City, Borough of Harvey Cedars, Borough of Barnegat Light and the Construction Code Officer.

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 May 10, 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: 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 2023-86

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that the application for probationary membership in the Surf City Volunteer Fire Co. as submitted by John Gausz 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 duly adopted by the Governing Body at a meeting held on May 10, 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: Councilman Wm. Hodgson

Second: Councilman Little

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

RESOLUTION 2023-87

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Surf City that authorization be hereby given to secure a sanitation truck to lease for the 2023 summer season with the aggregate total not exceeding \$40,000.00.

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 duly adopted by the Governing Body at a meeting held on May 10, 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: Councilman McMenamin

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 2023-88

NOW, THEREFORE, BE IT RESOLVED that the following employees be appointed part-time, with no benefits to the Department of Public Works at the corresponding hourly rates, effective May 10, 2023, to September 30, 2023.

Jacob Ceekler, Michael McCarthy, Terry Brennan and Brandon Cushman at \$17.50 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 May 10, 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: 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 2023-89

NOW, THEREFORE, BE IT RESOLVED that the following employees be appointed as assistant supervisors to the beach badge checker supervisor at a rate of \$17.00 per hour, part-time no benefits from May 10, 2023 through September 5, 2023.

Jamie Cruz Holmes

Robert Barkovich

Madison Teal

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 May 10, 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: 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 2023-90

NOW, THEREFORE, BE IT RESOLVED that the following individuals be appointed to the police department part-time, no benefits effective May 10, 2023 through December 31, 2023.

Class I Special Officers

Nathaniel Kelliher, 1st Year at \$16.00 per hour.

Christopher Waldron, 1st Year at \$16.00 per hour

Lilly Santella, 3rd Year, at \$16.75 per hour.

Matthew Gatto 2nd Year, at \$16.25 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 May 10, 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: Council President Wm. Hodgson

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 2023-91

NOW, THEREFORE, BE IT RESOLVED that the Landmark Excavation & Sitework be awarded the contract to overlay and stripe the basketball courts at Division Street and the N. 15th Street Bay beach of \$15,540.00.

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 duly adopted by the Governing Body at a meeting held on May 10, 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: 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.

ORDINANCE 2023-08

ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF A PORTION OF NORTH 7TH STREET IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5).

WHEREAS, the Borough of Surf City has received a request from the property owner of Block 103, Lot 28 to purchase a portion of property located at the end of North 7th Street as more particularly described in Schedule "A" which is attached hereto and made a part hereof; and

WHEREAS, said property is less than the minimum size required under the Municipal Zoning Ordinance and is without capital improvements thereon; and

WHEREAS, the owner of Block I 03, Lot 28 is the only contiguous property owner to the subject property; and

WHEREAS N.J.S.A. 40A:12-13.2 requires the municipality to first offer said property to the adjoining property owner(s) for purchase; and

WHEREAS, the municipality has established the fair market value for said property to be \$60,000.00; and

WHEREAS, the governing body desires to sell said property; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said property transfer by Ordinance.

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

SECTION 1. That in accordance with the requirements of N.J.S.A. 40A:12-13(b)(5), the governing body does hereby authorize the sale of property as set forth on Schedule "A" to Barnegat Way, LLC, the owner of Block 103, Lot 28, said property being less than the minimum size required for development under the Municipal Zoning Ordinance and said purchaser being the only contiguous property owner for the fair market value of \$60,000.00 plus costs for a total of \$67,000.00.

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary to transfer title to the said property to Barnegat Way, LLC for the sum of \$67,000.00, which is the fair market value of said property together with all costs associated with the sale of same.

SECTION 3. That said purchaser shall be responsible for the payment of the municipality's costs in conveying said property (i.e. attorney's fees, engineering fees, publication, and recording fees) which have been included in the total sale price of \$67,000.00.

SECTION 4. This Ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the forgoing Ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Surf City held on the 12th day of April 2023 and will be considered for second reading and final passage at a meeting of the Borough Council to be held on the 10th day of May 2023, at 7:30 p.m. at the Municipal Building, located at 813 Long Beach Boulevard, Surf City, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard. Copies of the Ordinance are available during regular business hours in the office of the Municipal Clerk or on the website www.surfcitynj.org.

CHRISTINE HANNEMANN, RMC/CMR/QPA
BOROUGH CLERK/ADMINISTRATOR

ORDINANCE 2023-09
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5%, unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate, as an exception, to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Surf City in the County of Ocean finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% percent increase in the budget for said year amounting to \$228,289.18 in excess of the increase in final appropriations, otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized, hereinabove, that is not appropriated, as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council, of the Borough of Surf City, in the County of Ocean, a majority of the full authorized membership of this governing body, affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Surf City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by three and one half (3.5 %) percent, amounting to \$228,289.18 and that the CY 2023 Municipal Budget for the Borough of Surf City be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated, as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance, as introduced, be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

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 passage, according to law.

NOTICE

Public notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Mayor and Council of the Borough of Surf City, County of Ocean, State of New Jersey, on Wednesday, April 12, 2023, at 7:30 PM in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

This ordinance to exceed the municipal budget appropriation limits and to establish a cap bank. n the CY 2023 budget year, the final appropriations of the Borough of Surf City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by three and one half (3.5 %) percent, amounting to \$228,289.18 and that the CY 2023 Municipal Budget for the Borough of Surf City be approved and adopted in accordance with this ordinance.

Further notice is given that said Ordinance will be considered for final passage and adoption, after public hearing, to be held at a regular meeting of the Mayor and Council on Wednesday, May 10, 2023 at 7:30 P.M. in the Municipal Building, 813 Long Beach Blvd., Surf City, New Jersey, at which time and place, any person desiring to be heard upon the same will be given the opportunity to be so heard. Full copies of the Ordinance will be available in the office of the municipal clerk's office and on the website www.surfcitynj.org.

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

RESOLUTION 2023-77 TO READ THE BUDGET BY TITLE ONLY AT THE PUBLIC
HEARING

WHEREAS, N.J.S.40A:4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing, a complete copy of the approved budget as advertised has been posted in the Borough Hall, a copy has been posted on the official website and copies have been made available by the Clerk to persons requiring them;

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED that the budget only be read by title.

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 May 10, 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: 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.

RESOLUTION 2023-78 TO ADOPT THE
2023 MUNICIPAL BUDGET

BE IT RESOLVED by the Borough Council of the Borough of Surf City, County of Ocean, that the budget, hereinbefore set forth, is hereby adopted and shall constitute an appropriation for the purposes stated herein set forth, as appropriations and authorization of the amount of \$4,765,000.00 to be raised by taxation for Municipal purposes.

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 May 10, 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: Councilman Hartney

Second: Councilman Little

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 2023-80

WHEREAS, the Length of Service Award Program list was posted at Borough Hall and delivered to the Long Beach Township municipal clerk for public inspection; and

WHEREAS, the members on the list have been qualified; and

NOW, THEREFORE, BE IT RESOLVED that authorization be given to the Chief Financial Officer to release the length of service funds to Lincoln Financial for qualifying members of \$39,936.00.

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 duly adopted by the Governing Body at a meeting held on May 10, 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: Councilman McMenamin

Second: Councilman Little

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 2023-81

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 Regulation fee in the amount of \$1,050.00.

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 duly adopted by the Governing Body at a meeting held on May 10, 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: 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 2023-82

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>
Badge checker uniforms	Beaches	\$2,472.91	Original Watermen, Inc
Lifeguard & LIT Uniforms	Beaches	\$11,304.50	Shore Promotions
Trash Truck Repairs	Sanitation	\$6,618.39	Bellmawr Truck Repair
Holiday lights	Public property	\$6,500.00	Holiday Outdoor Decor.

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 May 10, 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: 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.

RESOLUTION 2023-83

RESOLUTION AUTHORIZING THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY THROUGH THE SURF CITY POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE SURF CITY CHIEF OF POLICE TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT.

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, resiliency; and

WHEREAS, although the property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Surf City that the Surf City Chief of Police is hereby authorized to enroll in the 1033 Program for no more than one year, with authorization to participate terminating on December 31 of the current calendar year from May 5, 2023, to December 31, 2023; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Surf City Chief of Police is hereby authorized with the written consent of the Borough Administrator to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other

supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period for which this resolution authorizes, based on the needs of the Surf City Police Department, without restriction; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Surf City Police Department is hereby authorized to acquire the “DEMIL B through Q” property as listed in Attachment A if it shall become available in the period for which this resolution authorizes; and

BE IT FURTHER RESOLVED that the Surf City Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Surf City Police Department shall provide a quarterly accounting of all property to the Borough Administrator obtained through the 1033 Program, which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period for which this resolution authorizes: with Program participation and all property request authorization terminating on December 31st of the current calendar year from May 11, 2023 to December 31, 2023.

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 May 10, 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: Councilman 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 2023-83

ATTACHMENT A

LISTING OF APPROVED "DEMIL B THROUGH Q" CONTROLLED PROPERTY

<u>NAME</u>	<u>QUANTITY</u>
AUTOMOBILE, SEDAN	1
AUTOMOBILE, WAGON	1
SIGHT, THERMAL	10
TRUCK, TRACTOR	1
TRUCK, AMBULANCE	2
TRUCK, CARGO	1
TRUCK, CARRYALL	1
TRUCK, COMMAND RECONNAISSANCE	1
TRUCK, DUMP	2
TRUCK, MATERIALS HANDING-CONTAINER HOISTING	1
TRUCK, PANEL	1
TRUCK, STAKE	1
TRUCK, TANK	1
TRUCK, UTILITY	2
TRUCK, VAN	1
TRUCKS AND TRUCK TRACTORS, DEMIL C	1
UTILITY VEHICLE, OFFROAD	1
BREACHING RAM	2

RESOLUTION 2023-84

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Surf City that authorization be hereby given to the Borough Administrator and Engineer to apply for the 2023 NJDEP Stormwater Grant in the amount of \$25,000.00.

BE IT FURTHER RESOLVED that the grant funds be allocated to cover the cost of the mandated map requirements with the R9 MS4 Tier A Permit.

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 May 10, 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: Councilman Hartney

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 2023-85

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF BEACH HAVEN, AS LEAD AGENCY, SURF CITY, HARVEY CEDARS AND BARNEGAT LIGHT FOR CONSTRUCTION CODE ENFORCEMENT SERVICES

WHEREAS, the Borough of Surf City duly adopted Resolution 2022-171 approving a shared service agreement between the Boroughs of Beach Haven, Surf City, Harvey Cedars, and Barnegat Light for Construction Code Enforcement Services on November 8, 2022; and

WHEREAS, Beach Haven was subsequently informed by the Department of Community Affairs that shared service agreements for Construction Code Enforcement must be four (4) years in length, pursuant to UCC 5:23-4.6(b)2; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Beach Haven, County of Ocean, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized and directed to enter into and execute an AMENDMENT to the Shared Services Agreement with the municipalities of Surf City, Harvey Cedars and Barnegat Light for the provision of Uniform Construction Code enforcement and administration services.
2. A copy of the AMENDED agreement shall be kept on file and be available for public inspection at the office of the Borough Clerk.
3. The AMENDED agreement shall be extended and effective for a period of four (4) years, expiring on December 31, 2026.
4. A certified copy of this resolution shall be forwarded to the Borough of Surf City, Borough of Harvey Cedars, Borough of Barnegat Light and the Construction Code Officer.

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 May 10, 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: 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 2023-86

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that the application for probationary membership in the Surf City Volunteer Fire Co. as submitted by John Gausz 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 duly adopted by the Governing Body at a meeting held on May 10, 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: Councilman Wm. Hodgson

Second: Councilman Little

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

RESOLUTION 2023-87

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Surf City that authorization be hereby given to secure a sanitation truck to lease for the 2023 summer season with the aggregate total not exceeding \$40,000.00.

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 duly adopted by the Governing Body at a meeting held on May 10, 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: Councilman McMenamin

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 2023-88

NOW, THEREFORE, BE IT RESOLVED that the following employees be appointed part-time, with no benefits to the Department of Public Works at the corresponding hourly rates, effective May 10, 2023, to September 30, 2023.

Jacob Ceekler, Michael McCarthy, Terry Brennan and Brandon Cushman at \$17.50 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 May 10, 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: 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 2023-89

NOW, THEREFORE, BE IT RESOLVED that the following employees be appointed as assistant supervisors to the beach badge checker supervisor at a rate of \$17.00 per hour, part-time no benefits from May 10, 2023 through September 5, 2023.

Jamie Cruz Holmes

Robert Barkovich

Madison Teal

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 May 10, 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: 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 2023-90

NOW, THEREFORE, BE IT RESOLVED that the following individuals be appointed to the police department part-time, no benefits effective May 10, 2023 through December 31, 2023.

Class I Special Officers

Nathaniel Kelliher, 1st Year at \$16.00 per hour.

Christopher Waldron, 1st Year at \$16.00 per hour

Lilly Santella, 3rd Year, at \$16.75 per hour.

Matthew Gatto 2nd Year, at \$16.25 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 May 10, 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: Council President Wm. Hodgson

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 2023-91

NOW, THEREFORE, BE IT RESOLVED that the Landmark Excavation & Sitework be awarded the contract to overlay and stripe the basketball courts at Division Street and the N. 15th Street Bay beach of \$15,540.00.

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 duly adopted by the Governing Body at a meeting held on May 10, 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: 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.