

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 Asbury Park Press on January 11, 2024.

The roll call reflected the following members present: Councilman Joseph DeBenedetto, Councilman Peter M. Hartney, Council President William D. Hodgson, Councilman Gerry P. Little, Councilman John D. McMenamín, Councilwoman Jacqueline L. Siciliano, and Mayor Francis R. Hodgson. None were absent.

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

Chief Financial Officer Michael P. Gross, Police Chief Jack Casella, and Acting Superintendent Leonard Wilson were also present.

Councilman McMenamín moved to approve the May 8, 2024, and the May 15, 2024, minutes. Councilman DeBenedetto seconded the motion. With a vote in the affirmative, the minutes were approved.

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamín, and Mrs. Siciliano. Nays: none. Mr. Hartney approved the May 8, 2024, minutes and abstained from considering the May 15, 2024, minutes. Absent: none.

Council President Wm. Hodgson moved to approve the introduction and first reading of Ordinance 2024-12. Councilman Hartney seconded the motion. With a vote in the affirmative, Ordinance 2024-12 was approved for the first reading. This ordinance regulates private salt storage as mandated by the NJDEP.

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" TO REGULATE PRIVATE SALT STORAGE.

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamín, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Little moved to approve the introduction and first reading of Ordinance 2024-13. Councilwoman Siciliano seconded the motion. With a vote in the affirmative, Ordinance 2024-13 was approved for the first reading. This ordinance authorizes the spending for the repairs and painting of the N. 14th Street Water Tower.

BOND ORDINANCE PROVIDING FOR THE PAINTING AND REPAIRMENT OF THE
NORTH 14TH STREET WATER TANK, APPROPRIATING \$1,500,000 THEREFOR AND

AUTHORIZING THE ISSUANCE OF \$1,425,000 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.

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to approve the introduction and first reading of Ordinance 2024-14. Councilman McMenamin seconded the motion. With a vote in the affirmative, Ordinance 2024-14 was approved for the first reading. This ordinance provides regulations for tree removal and replacement.

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 25 PERTAINS TO "TREE REMOVAL REPLACEMENT".

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Council President Wm. Hodgson moved to open the public hearing for Ordinance 2024-08. Councilwoman Siciliano seconded the motion. With a vote in the affirmative, the hearing was open. The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

There were no comments. Councilman Hartney moved to close the public hearing. Councilwoman Siciliano seconded the motion. With a vote in the affirmative, the hearing was closed. The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to approve the final reading of the Ordinance 2024-08 by title. Councilman McMenamin seconded the motion. With a vote in the affirmative, Ordinance 2024-08 was adopted. This ordinance removes the term Certificate of Occupancy and replaces it with Resale Certificate, as the NJDCA requires.

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, 2000" AS THE SAME IN CHAPTER 30 PERTAINS TO "ZONING".

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman DeBenedetto moved to open the public hearing for Ordinance 2024-09. Councilman Hartney seconded the motion. With a vote in the affirmative, the hearing was open. The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

There were no comments. Councilwoman Siciliano moved to close the public hearing. Councilman Hartney seconded the motion. With a vote in the affirmative, the hearing was closed. The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to approve the final reading of the Ordinance 2024-09 by title. Councilman DeBenedetto seconded the motion. With a vote in the affirmative, Ordinance 2024-09 was adopted. This ordinance establishes a process for the rules of pickleball play.

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

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilwoman Siciliano moved to open the public hearing for Ordinance 2024-10. Councilman Hartney seconded the motion. With a vote in the affirmative, the hearing was open. The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

There were no comments. Council President Wm. Hodgson moved to close the public hearing. Councilwoman Siciliano seconded the motion. With a vote in the affirmative, the hearing was closed. The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to approve the final reading of the Ordinance 2024-10 by title. Councilwoman Siciliano seconded the motion. With a vote in the affirmative, Ordinance 2024-10 was adopted. This ordinance revises the stormwater chapter to accommodate new rules created by the NJDEP.

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 24 PERTAINS TO "STORMWATER CONTROL".

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Council President Wm. Hodgson moved to open the public hearing for Ordinance 2024-11. Councilman Little seconded the motion. With a vote in the affirmative, the hearing was open. The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

There were no comments. Council President Wm. Hodgson moved to close the public hearing. Councilman Hartney seconded the motion. With a vote in the affirmative, the hearing was closed. The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to approve the final reading of the Ordinance 2024-11 by title. Council President Wm. Hodgson seconded the motion. With a vote in the affirmative, Ordinance 2024-11 was adopted. This ordinance revises language about signage in the business zone.

ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXX OF THE BOROUGH CODE OF THE BOROUGH OF SURF CITY ENTITLED "ZONING" SO AS TO REVISE THE REGULATIONS PERTAINING TO SIGNAGE IN THE B-BUSINESS ZONE.

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Resolutions 2024-95 through 2024-107 were considered and approved, as attached.

Mayor F. Hodgson read the April 2024 Chief Financial Officer and Municipal Court reports.

Councilman McMenamin provided the May 2024 sanitation analysis. He then moved Resolution 2024-90, which was approved, as attached. The Borough is waiting for the solid waste decal from the NJDEP to use the truck. The new trash truck is expected to arrive in July.

Councilman DeBenedetto reported that the pickleball courts are completed. The committee has been so helpful. Paul from "OCC" played this last Saturday. The signs for the pickleball etiquette will be ordered. The beach patrol is fully staffed and CPR-certified. The 3rd Annual Surf City LIT Tournament will be on July 16th. He moved Resolution 2024-109, which was considered and approved, as attached.

Council President Wm. Hodgson provided the statistical report for May 2024. He reminded everyone of pedestrian and bike safety. For example, pedestrians must wait to enter the crosswalk, and bikes must follow vehicle traffic laws.

Councilwoman Siciliano reported on the May 2024 DPW streets and roads work order report. The 9th Street drain has been inspected. On May 10th, she, Mayor F. Hodgson, and Councilman Hartney met with the NJDOT in Ship Bottom to discuss the remaining work and schedule. An unexpected structure repair caused them to work past the May 17th deadline. In September, a pipe will be installed at Marsha Drive. Another meeting will occur in August or September for more updates. Councilwoman Siciliano moved Resolution 2024-111 for authorization to submit the FY2024 NJDOT application for road construction. It was approved, as attached.

Mayor F. Hodgson reported on the funding the County received and the drainage study being performed for Surf City with those funds.

Councilman Hartney announced that the beach mats had been installed on every street except the driver-over ramps. The County has completed the hard packing work on the street side of the dune walkover. In addition to the Gators, a beach wheelchair can be rented at no cost. He mentioned all the seasonal services the beach badge booth provides – residents can obtain boat ramp and gator passes, buy badges, rent beach wheels, and call for general information seven days a week. July 2nd starts the Barnegat Bay Hands-on Learning program at 9:00 am. He reminded everyone that the fireworks will be on July 3rd. On June 20th, Resilient LBI will host a meeting to update the public. Beach badge sales picked up at the end of the month as reflected in the reporting totals. Councilman Hartney then moved Resolution 2024-110, which was approved, as attached.

Councilman Little read the May 2024 water & sewer report. We completed hydrant flushing last month. A bond ordinance was just adopted to repair and paint the N. 14th Street water tower; The department repaired road patches throughout town. The broken fire hydrant on N. 2nd Street has been repaired. The department also repaired various water leaks around the Borough. The Borough now meets State requirements as one of the staff has acquired his T2 water license. We also have another employee starting water department classes. Councilman Little thanked the Mayor, Councilman Hartney, the members of the Council, and the police for a great Memorial Day service.

Arlene Morrison requested to Turn the Town Teal to raise awareness for Ovarian Cancer. Council President Wm. Hodgson moved to approve the request under the same conditions as prior years. Councilman McMenamain seconded the motion. With a vote in the affirmative, the request was approved. The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamain, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Owen LaRocca requested that Scripture Union hold the annual SuperKids event on N. 11th Street from July 31st to August 4th and August 7th to August 11th. Councilwoman Siciliano

moved to approve the request under the same conditions as prior years. Councilman Hartney seconded the motion. With a vote in the affirmative, the request was approved. The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Anne Ingersoll Curtin requested a memorial bench for her husband to be placed at Division Street & the Ocean. Councilman Hartney moved to approve the request under the same conditions as prior years. Councilman McMenamin seconded the motion. With a vote in the affirmative, the request was approved. The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilwoman Siciliano moved to approve paying the bills. Councilman DeBenedetto seconded the motion. With a vote in the affirmative of the members present, bills were approved to be paid.

BE IT RESOLVED BY THE 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	\$78,523.06
Current	\$863,355.39
Payroll Account	\$311,115.66
Dog License Account	\$9.60
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: June 12, 2024/s/ Francis R. Hodgson, Mayor

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

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

Susanne Gilbert complimented the borough workers and said that the street end was clean on the bayside.

Councilman Hartney moved to adjourn the meeting. Councilman DeBenedetto seconded the motion. With a vote in the affirmative, the meeting was adjourned. The roll call reflected the

June 12, 2024

following votes for approval: Mr. DeBenedetto, Mr. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Respectfully submitted,

A handwritten signature in black ink that reads "Hannemann". The signature is written in a cursive, flowing style.

Christine Hannemann, RMC/CMR/QPA

Borough Clerk/Administrator

ORDINANCE #2024-11

ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXX OF THE BOROUGH CODE OF THE BOROUGH OF SURF CITY ENTITLED "ZONING" SO AS TO REVISE THE REGULATIONS PERTAINING TO SIGNAGE IN THE B-BUSINESS ZONE

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

SECTION I. Section 30-10.2 of Chapter XXX of the Borough Code of the Borough of Surf City entitled "Signs in Business Zone" is hereby amended and supplemented to add new paragraph g which shall read as follows:

g. Notwithstanding any other provision in this Chapter to the contrary, places of worship located in the B-Business Zone shall be exempt from the provisions of this section pertaining to signs.

SECTION 2. Section 30-3 of Chapter XXX of the Borough Code of the Borough of Surf City entitled "Definitions" is hereby amended and supplemented to add the following definition:

Place of Worship shall mean buildings or parts thereof including accessory buildings or structures that are used for the regular assembly of persons for the practice of religious worship, services or rites.

**DASTI, McGUICKIN,
McNICHOLS, CONNORS,
ANTHONY & BUCKLEY**

COUNSELLORS AT LAW

620 WEST SURF CITY ROAD
FORKED RIVER, N.J. 08731

SECTION 3. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

SECTION 4. All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

SECTION 5. No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

SECTION 5. This ordinance shall take effect after public reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Borough Council of Surf City Borough on first reading at a meeting held on the _____ day of _____, 2024. The Ordinance will be considered for second and final reading at a meeting of the Borough Council which is scheduled for the _____ day of _____, 2024 at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 813 Long Beach Boulevard, Surf City, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

CHRISTINE HANNEMANN,
Clerk/Administrator
Borough of Surf City

**DASTI, McGUICKIN,
McNICHOLS, CONNORS,
ANTHONY & BUCKLEY**

COUNSELLORS AT LAW

620 WEST SURF CITY ROAD
FORKED RIVER, N.J. 08731

Introduced May 8, 2024

Moved by Council President Wm. Hodgson

Seconded by Councilman DeBenedetto

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr.

Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Adopted June 12, 2024

Moved by Councilman Hartney

Seconded by Council President Wm. Hodgson

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr.

Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamin, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

**BOROUGH OF SURF CITY
COUNTY OF OCEAN**

BOND ORDINANCE NO. 2024-13

**BOND ORDINANCE PROVIDING FOR THE PAINTING AND REPAIRMENT OF THE
NORTH 14TH STREET WATER TANK, APPROPRIATING \$1,500,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF \$1,425,000 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**

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF SURF CITY, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as Water Utility improvements to be undertaken in and by the Borough of Surf City, in the County of Ocean, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,500,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$75,000 as the down payment for said purposes. Said down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets. In accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, no down payment is required as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,425,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the painting and repairment of the North 14th Street Water Tank, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,425,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,500,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$1,500,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$75,000 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as Water Utility improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is not increased by the authorization of the \$1,425,000 bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$75,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

(f) This bond ordinance authorizes obligations of the Borough solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-46 of said Law.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Method	Approved		Denied		Carried		
	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto							
Hartney							
Wm. Hodgson							
Little							
McMenamin							
Siciliano							

ORDINANCE 2024-14

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 25 PERTAINS TO "TREE REMOVAL REPLACEMENT".

SECTION I. Purpose:

An ordinance to establish requirements for tree removal and replacement in the Borough of Surf City to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" mean the requirement is always mandatory and not merely directory.

- A. "Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.
- B. "Critical Root Radius (CRR)" – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.
- C. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.
- D. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.
 - 1. Has an infectious disease or insect infestation.
 - 2. Is dead or dying.
 - 3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective.
 - 4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or

5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

E. "Person" means any individual, resident, corporation, utility, company, partnership, firm, or association.

F. "Planting strip" means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

G. "Resident" means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

H. "Street Tree" means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

I. "Tree" means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

J. "Tree Caliper" means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

K. "Tree removal" means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

SECTION III. Regulated Activities:

A. Tree Replacement Requirements

1. Any person who removes one or more street tree(s) with a DBH of 2.5" or more, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.

2. Any person, who removes one or more tree(s), as defined as Tree removal, with a DBH of 6" or more per acre, unless otherwise detailed under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table.

The species type and diversity of replacement trees shall be in accordance with Appendix A.

Replacement tree(s) shall:

1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree Replacement Criteria in the table below.
2. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality.
3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)
1	DBH of 2.5" (for street trees) or 6" (for non-street trees) to 12.99"	Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed
2	DBH of 13" to 22.99"	Replant 2 trees with minimum tree calipers of 1.5" for each tree removed
3	DBH of 23" to 32.99"	Replant 3 trees with minimum tree calipers of 1.5" for each tree removed
4	DBH of 33" or greater	Replant 4 trees with minimum tree calipers of 1.5" for each tree removed

B. Replacement Alternatives:

1. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the municipality.
 - b. Pay a fee of \$50 per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

SECTION IV. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption by photos or statements made by a licensed tree expert or arborist.

- A. Residents who remove less than four (4) trees per acre fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. [The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.]
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers.
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality.
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife.
- G. Hazard trees may be removed with no fee or replacement requirement.

SECTION V. Enforcement

This ordinance shall be enforced by the Police Department during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$50 per tree or plant a tree in accordance with section 25-3.

SECTION VIII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by 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, June 12, 2024, at 7:30 PM at 813 Long Beach Boulevard, Surf City, New Jersey. This ordinance provides regulations for tree removal and replacement under certain circumstances.

Further notice is given that said Ordinance will be considered for final passage and adoption, after a public hearing to be held at a regular meeting of the Mayor and Council on Wednesday, July 10, 2024, 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 allowed to be so heard. Complete copies of this ordinance are available for public inspection in the office of the Municipal Clerk during regular business hours.

CHRISTINE HANNEMANN, RMC/CMR/QPA

Municipal Clerk/Administrator

	Approved		Denied	Carried			
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto							
Hartney							
Wm. Hodgson							
Little							
McMenamin							
Siciliano							

ORDINANCE 2024-08

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, 2000" AS THE SAME IN CHAPTER 30 PERTAINS TO "ZONING".

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

SECTION I

Chapter 30 Section 30-15.6 entitled "Certificate of Zoning Occupancy Required for Transfer of Title to Existing Structures," the title shall be amended as follows:

Resale Certificate Required for Transfer of Title to Existing Structures.

Chapter 30 Section 30-15.6 (a)(b)(c)(d) language should be amended as follows:

- a. Certificate Required Before Transfer. No title transfers by an owner to any real property within the Borough shall take place unless and until the new Resale Certificate has been received from the office of the Zoning Officer for any existing structure located thereon and used for commercial or residential purposes. It shall be the obligation of the record owner of such real property to first obtain a new Resale Certificate before the transfer of title. No person, agents, servants, or representatives of any foregoing shall suffer or allow anyone to occupy any structure used for commercial or residential purposes within the Borough without obtaining a Resale Certificate.
- b. Application; Inspection. Before the transfer of title of any existing commercial or residential structure, the record owner shall apply for a new Resale Certificate in writing to the Zoning Officer or any other person designated by him. The applicant shall permit the Zoning Officer, or any other person designated by him, to enter upon and examine the structure or structures subject to the Resale Certificate application so that the Zoning Officer, or any other person designated by him, may determine if the structure conforms with the Zoning Ordinances of the Borough as a permitted use or, if not a permitted use, then determine if such structure exists as a valid nonconforming use. No Resale Certificate shall be issued until such inspection shall have been made and a certification filed with the Zoning Officer or the Deputy Zoning Officer, that the use for such building or buildings complies with the Zoning Ordinance of the Borough or is a valid pre-existing nonconforming use.
- c. Filing; Fee. The applicant must complete an application to be filed with the Zoning Officer and submit a fee of \$75 per unit, a current plot plan, and a flood elevation certificate to be in the purchaser's name. A fee of \$25 shall be submitted for each reinspection.
- d. Exemption. The transfer of title to properties requiring certificates of zoning occupancy as outlined in Subsections a and b shall be exempt from the provisions of this subsection if the transfer is between existing record owners together or if property passes by intestate succession or as the result of a Last Will and Testament.

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 after notice of adoption.

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, May 8, 2024, at 7:30 PM at 813 Long Beach Boulevard, Surf City, New Jersey. This ordinance removes the term certificate of occupancy and replaces it with the term resale certificate, as State Law requires.

Further notice is given that said Ordinance will be considered for final passage and adoption after a public hearing to be held at a regular meeting of the Mayor and Council on Wednesday, June 12, 2024, 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 allowed to be so heard. Full copies of this ordinance are available for public inspection in the office of the Municipal Clerk during regular business hours.

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

Approved 5/8/2024	<u>Approved</u>			Denied	Carried		
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto			X				
Hartney			X				
Wm. Hodgson			X				
Little	X		X				
McMenamin			X				
Siciliano		X	X				

Adopted 6/12/2024	<u>Approved</u> Denied Carried						
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto			X				
Hartney	X		X				
Wm. Hodgson			X				
Little			X				
McMenamin		X	X				
Siciliano			X				

ORDINANCE #2024-09

ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XIX OF THE BOROUGH CODE OF THE BOROUGH OF SURF CITY ENTITLED "PARKS, BEACHES AND RECREATIONAL AREAS" SO AS TO REVISE THE PERMITTED USE OF FACILITIES AT THE RICHARD A. ZACHARIAE RECREATIONAL AREA, DIVISION AVENUE.

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

SECTION I. Subsection 19-6.1 of the Borough Code of the Borough of Surf City entitled "Permitted Use of Facilities" is hereby amended and supplemented to revise Paragraph a. to read as follows:

- a. The tennis/pickleball courts are to be used solely for the playing of tennis or pickleball by persons wearing rubber soled shoes. No other sport, recreation or use shall be permitted.

SECTION 2. Subsection 19-6.1 of the Borough Code of the Borough of Surf City entitled "Permitted Use of Facilities" is hereby amended and supplemented to add Paragraph d. which shall read as follows:

- d. The use of facilities, including but not limited to, tennis courts, pickleball courts, and basketball courts shall be in accordance with rules and regulations adopted by Resolution of the Borough Council.

**DASTI, McGUCKIN,
McNICHOLS, CONNORS,
ANTHONY & BUCKLEY**

COUNSELLORS AT LAW

620 WEST SURF CITY ROAD
FORKED RIVER, N.J. 08731

SECTION 3. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

SECTION 4. All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

SECTION 5. No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

SECTION 5. This ordinance shall take effect after public reading and publication as required by law.


NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Borough Council of Surf City Borough on first reading at a meeting held on the 8th day of May, 2024. The Ordinance will be considered for second and final reading at a meeting of the Borough Council which is scheduled for the 12th day of June, 2024 at 7:30 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 813 Long Beach Boulevard, Surf City, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

**DASTI, McGUCKIN,
McNICHOLS, CONNORS,
ANTHONY & BUCKLEY**

COUNSELLORS AT LAW

620 WEST SURF CITY ROAD
FORKED RIVER, N.J. 08731




CHRISTINE HANNEMANN,
Clerk/Administrator
Borough of Surf City

ORDINANCE #2024-09

ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XIX OF THE BOROUGH CODE OF THE BOROUGH OF SURF CITY ENTITLED "PARKS, BEACHES AND RECREATIONAL AREAS" SO AS TO REVISE THE PERMITTED USE OF FACILITIES AT THE RICHARD A. ZACHARIAE RECREATIONAL AREA, DIVISION AVENUE.

The Borough of Surf City introduced the above ordinance at its May 8, 2024 meeting. The Ordinance is amending and supplementing Chapter XIX of the Borough Code of the Borough of Surf City entitled "Parks, Beaches and Recreational Areas" so as to revise the permitted use of facilities at the Richard A. Zachariae Recreational Area, Division Avenue. The Ordinance will be considered on second and final reading at the June 12, 2024 meeting of the governing body. All meetings are held at the Municipal Building located at 813 Long Beach Boulevard, Surf City, New Jersey, commencing at 7:00 p.m. Copies of all Ordinances are available at no cost at the Municipal Clerk's Office located at 813 Long Beach Boulevard, Surf City, New Jersey, Monday through Friday from 9:00 a.m. to 4:30 p.m.



CHRISTINE HANNEMANN,
Borough Clerk/Administrator
Borough of Surf City

**DASTI, McGUCKIN,
McNICHOLS, CONNORS,
ANTHONY & BUCKLEY**

COUNSELLORS AT LAW

620 WEST SURF CITY ROAD
FORKED RIVER, N.J. 08731

ORDINANCE 2024-09

Approved 5/8/2024	<u>Approved</u> Denied Carried						
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto			X				
Hartney			X				
Wm. Hodgson			X				
Little			X				
McMenamin			X				
Siciliano		X	X				
Adopted 6/12/2024	<u>Approved</u> Denied Carried						
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto		X	X				
Hartney			X				
Wm. Hodgson	X		X				
Little			X				
McMenamin			X				
Siciliano			X				

ORDINANCE 2024-10

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 24 PERTAINS TO "STORMWATER CONTROL".

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

SECTION I

Chapter 24 certain sections and subsections be amended and replaced by the following.

Section I. Scope and Purpose:

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for green infrastructure, water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development," as defined below in Section II.

C. Applicability

1. This ordinance shall be applicable to the following major developments:
 - i. Non-residential major developments and redevelopment projects; and
 - ii. Aspects of residential major developments and redevelopment projects that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21 et seq.
2. This ordinance shall also be applicable to all major developments undertaken by the Borough of Surf City.
3. Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Section II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions used in this ordinance shall be the same as the last amended Stormwater Management Rules at N.J.A.C. 7:8-1.2, incorporated herein by reference.

Section III. Design and Performance Standards for Stormwater Management

Measures:

This section establishes design and performance standards for stormwater management measures for major development intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies. Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference.

Section IV. Solids and Floatable Materials Control Standards:

A. Site design features identified under Section III above, or alternative designs in accordance with Section III above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and

other floating, suspended, or settleable solids. For exemptions to this standard see Section IV.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in IV.A.1. above does not apply:
 - i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - iii. Where flows from the water quality design storm as specified in the last amended Stormwater Management rules at N.J.A.C. 7:8 et seq. are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed,

at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
- b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

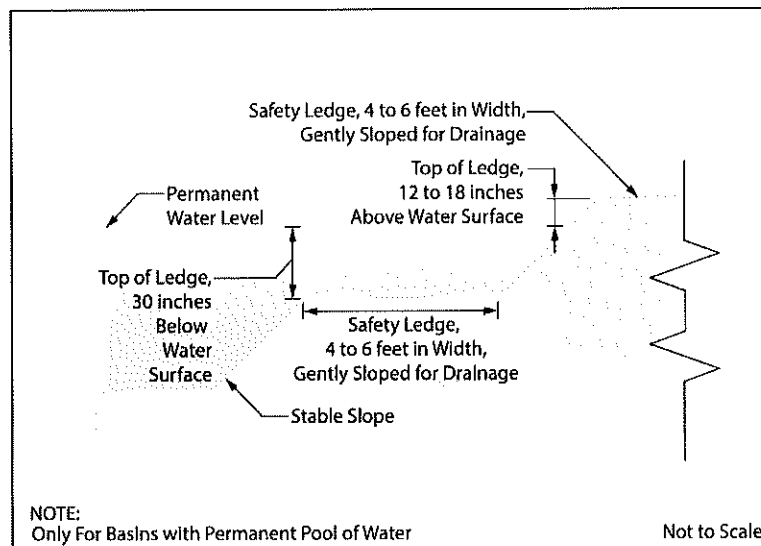
- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section V. Safety Standards for Stormwater Management Basins:

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.

B. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



Section VI. Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section VI.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.

3. The applicant shall submit [*specify number*] copies of the materials listed in the checklist for site development stormwater plans in accordance with Section VI.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and

other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Section III is being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section III of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section VII.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section VI.C.1 through VI.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Section VII. Maintenance and Repair:

A. Applicability

Projects subject to review as in Section I.C of this ordinance shall comply with the requirements of Section VII.B and VII.C.

B. General Maintenance

1. Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.
2. The following requirements of N.J.A.C. 7:8-5.8 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department:
 - i. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation; and
 - ii. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.

Note: It may be appropriate to delete requirements in the maintenance and repair plan that are not applicable if the ordinance requires the facility to be dedicated to the municipality. If the municipality does not want to take this responsibility, the ordinance should require the posting of a two year maintenance guarantee in accordance with N.J.S.A. 40:55D-53. Maintenance and inspection guidance can be found on the Department's website at:

https://www.njstormwater.org/maintenance_guidance.htm.

3. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

SECTION VIII

All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

SECTION VIII

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 X

This ordinance shall take effect immediately after adoption.

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, May 8, 2024, at 7:30 PM at 813 Long Beach Boulevard, Surf City, New Jersey. This ordinance revises certain aspects of the stormwater chapter.

Further notice is given that said Ordinance will be considered for final passage and adoption, after a public hearing to be held at a regular meeting of the Mayor and Council on Wednesday, June 12, 2024, 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 allowed to be so heard. Full copies of this ordinance are available for public inspection in the office of the Municipal Clerk during regular business hours.

CHRISTINE HANNEMANN, RMC/CMR/QPA

Municipal Clerk/Administrator

Approved 5/8/2024	<u>Approved</u> Denied Carried						
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto		X	X				
Hartney			X				
Wm. Hodgson	X		X				
Little			X				
McMenamin			X				
Siciliano			X				

Adopted 6/12/2024	<u>Approved</u> Denied Carried						
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto			X				
Hartney	X		X				
Wm. Hodgson			X				
Little			X				
McMenamin			X				
Siciliano		X	X				

RESOLUTION 2024-95
AMENDING THE CAPITAL BUDGET

WHEREAS, the Borough of Surf City, New Jersey, desires to amend the 2024 Capital Budget of the said municipality by increasing the amount thereon to include improvements to the streets/roads and related expenses for the Borough of Surf City.

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

Section 1. The 2024 Capital Budget of the Borough of Surf City is hereby amended by adding thereto a Schedule to read as follows:

AMENDMENT #2 CAPITAL BUDGET
Projects Schedules for 2024 Method of Financing

PROJECT	EST. COST	CAPITAL IMP. FUND	CAPITAL SURPLUS	GENERAL BONDS	CAPITAL RESERVE
Repairs and Painting of the 14 th Street Water Tower	\$1,500,000	\$75,000		\$1,425,000	

Section 2. The Clerk is authorized and directed to file two certified copies of this resolution with the Division of Community Affairs, State of New Jersey, within three days after the adoption of these projects to be included in the 2024 Capital Budget as adopted.

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 May 8, 2024, at 7:30 pm in the Council Chambers at 813 Long Beach Boulevard, Surf City, NJ.

Channeman

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

Method	<div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">Approved</div> Denied Carried Roll Call						
	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto			✓				
Hartney			✓				
Wm. Hodgson		✓	✓				
Little	✓		✓				
McMenamin			✓				
Siciliano			✓				

RESOLUTION 2024-96

BE IT RESOLVED that the following listed employees shall be paid the rates of base compensation below effective as of January 1, 2024. Said compensation shall be based on a work year consisting of 260 working days for full-time salaried employees only.

BE IT FURTHER RESOLVED THAT FULL-TIME Police Officers shall be paid in accordance with their respective contracts.

Christine Hannemann	Municipal Clerk (tenure 1/2022), Administrator, QPA, Registrar, Assessment Search Official, CDBG Coordinator, CRS Coordinator, Clean Communities Coordinator, Emergency Management Coordinator, Deputy Zoning Officer, Public Agency Compliance Officer, Pending Improvement Search Official, Supplemental Fire Services Coordinator	\$102,000
Michael Gross	Chief Financial Officer, Treasurer, Collector – water/ sewer rents, JIF Safety Coordinator, Recycling Coordinator	\$106,500
John Casella	Chief of Police	\$145,170
John Casella	Deputy Emergency Management Coordinator	\$3,000
John Casella	Police Liaison to the Mayor	\$16,620
Carrie Haberstroh	Tax Collector (tenure 1/2022), Assistant Treasurer	\$80,875
Sandi Gomez	Zoning Officer, Clerk in the Municipal Offices	\$42,416
Tracey Figueiras	Court Administrator	\$59,305
Tracey Figueiras	Court ADA Supervisor	\$527
Leonard Wilson	Borough Superintendent, Driver 1, Carpenter	\$57,081
Michael Ingling	Water/Sewer Foreman	\$82,777
Michael Ingling	Plumber – Water/Sewer Maintenance	\$9,279
Erik Dollman	Laborer, Plumber #2- Water/Sewer Maintenance	\$66,462
Kenneth Wilson	Laborer	\$37,440
Kenneth Wilson	Custodian – Class 2	\$1,298
Connor Calnan	Laborer	\$40,409
Matthew Fishman	Laborer	\$37,440
Arthur Yahn	Assistant Superintendent	\$53,170
Ryan Boyd	Laborer	\$41,600
Davonte Olivio	Laborer	\$44,663
Anthony Triola	Laborer	\$37,440


Adam Childs	Mechanic	\$45,760
Daniel Sahin	Municipal Court Judge	\$19,927
Joseph Grisante	Temporary Municipal Court Judge – per session	\$1,661.00
Walter Higgins	Tax Assessor	\$18,819
Mark DiLeo	Lifeguard Captain -Part-time post/pre-season	\$26/hour
Renee Pawlishak	Beach Badge Supervisor – Part-time post/pre-season	\$19hour
Jenna Letts	Full-time clerk in the Municipal Offices	\$37,440
Sharon Rickards	Full-time clerk in the Municipal Offices/Probationary	\$37,440
Jeannie Frazier	Full-time clerk in the Municipal Offices/Probationary	\$37,440
Christy Maimone	Full-time clerk in the Municipal Offices/Probationary	\$37,440
Mayor		\$9,542
Members of Council		\$7,376
Board of Health Members		\$431
Board of Health Secretary		\$901

BE IT FURTHER RESOLVED that employees in the Department of Public Works earn a bonus of \$1,000 for completion of work throughout the summer. Qualifications shall be as follows:

1. Employees must average 30 hours per week in the summer months.
2. Employees must start by August 1, 2024, to qualify, working through September 30th.
3. Employees must work the assigned schedule with no unexcused absences.
4. Sign the memorandum of understanding about the terms of the bonus.

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 June 12, 2024, 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

Method	Approved			Denied	Carried		
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto			✓				
Hartney			✓				
Wm. Hodgson	✓		✓				
Little			✓				
McMenamin			✓				
Siciliano		✓	✓				

RESOLUTION 2024-97

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>Approx. Amount</u>	<u>Vendor</u>
Rental Trash Truck	\$19,800	Premier Truck Sales & Rental
NJDEP – Environmental Fee	\$1,050.00	NJDEP Permitting
Trash truck repair	\$4,365.86	Hunter Truck

CERTIFICATIONS

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 June 12, 2024, at 7:30 P.M. in the Council Chambers located at 813 Long Beach Boulevard, Surf City, NJ.

Christine Hannemann

CHRISTINE HANNEMANN, RMC/CMR/QPA

Municipal Clerk/Administrator

Method	<u>Approved</u>			Denied	Carried	Note
	Moved	Second	Ayes	Roll Call		
DeBenedetto			✓			
Hartney	✓		✓			
Wm. Hodgson			✓			
Little		✓	✓			
McMenamin			✓			
Siciliano			✓			

RESOLUTION 2024-98


WHEREAS, the Borough is in receipt of escrow bonds posted pertaining to professional fees, performance guarantees and inspection fees; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Surf City that the following listed escrow bonds be released to the corresponding applicants with the balances to be released to the Borough of Surf City.

<u>Applicant</u>	<u>Type</u>	<u>Posted Amount</u>	<u>Amount to Applicant</u>	<u>Amount to Borough</u>
Anchor Trading Corps	LUB	\$3,131.36	\$750.00	\$2,381.36

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 June 12, 2024, 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

Method	Approved			Denied	Carried		
	Moved	Second	Ayes	Roll Call			
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto	✓		✓				
Hartney			✓				
Wm. Hodgson			✓				
Little			✓				
McMenamin			✓				
Siciliano		✓	✓				

RESOLUTION 2024-99

WHEREAS, the Governing Body of the Borough of Surf City wish to recognize those individuals currently serving as active members of the United States Military; and

WHEREAS, it is the desire of this Governing Body to allow those individuals access to the Surf City Beaches at no cost for the year 2024; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that active Military personnel and their immediate family shall be granted access to Surf City beaches during the year 2024 without the necessary beach badge.

BE IT FURTHER RESOLVED that said persons shall be required to provide the necessary military identification in order to qualify.

BE IT FURTHER RESOLVED that the Borough Administrator be and is hereby given authorization to set forth any procedure which may be necessary in order to administer this process.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution duly adopted by the Governing Body at a meeting held on June 12, 2024 at 7:30 PM in the Council Chambers at 813 Long Beach Boulevard Surf City, NJ



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

Method	Approved			Denied	Carried		
	Moved	Second	Ayes	Nays	Abstain	Absent	Note
Council Member DeBenedetto			✓				
Hartney					✓		
Wm. Hodgson			✓				
Little	✓		✓				
McMenamin			✓				
Siciliano		✓	✓				

RESOLUTION NO. 2024 100

RESOLUTION OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A DEED OF DEDICATION AND PERPETUAL PUBLIC ACCESS EASEMENT

WHEREAS, The Borough of Surf City ("Borough") is seeking Municipal Public Access Plan approval ("MAPA") from the New Jersey Department of Environmental Protection ("NJDEP"); and

WHEREAS, MAPA approval from the NJDEP will allow the Borough to continue to obtain a general permit for beach maintenance in order to avoid the alternative individual permit which is a very expensive and time consuming acquisition process; and

WHEREAS, as a condition of obtaining MAPA approval, the Borough must file a Deed of Dedication and Perpetual Public Easement, a copy of which is attached hereto and made a part hereof as Schedule "A"; and

WHEREAS, it is the desire of the governing body to authorize the execution of the filing of the Deed of Dedication and Perpetual Public Access Easement.

NOW, THEREFORE, BE IT RESOLVED, this 12 day of June, 2024, 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 filing of the Deed of Dedication and Perpetual Public Access Easement, a copy of which is attached hereto and made hereof as Schedule "A".
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to said Deed of Dedication and Perpetual Public Access Easement.

DASTI, McGUICKIN
McNICHOLS, CONNORS
ANTHONY & BUCKLEY
COUNSELLORS AT LAW

620 WEST LACEY ROAD
FORKED RIVER, N.J. 08731

3. That a certified copy of this Resolution shall be forwarded by the Municipal Clerk to the Borough Engineer and the NJDEP.

CERTIFICATION

I, Christine Hannemann, Municipal Clerk of the Borough of Surf City, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on June 12, 2024


CHRISTINE HANNEMANN, RMC/CMC
Borough Clerk, Borough of Surf City

Prepared by:

DASTI, McGUCKIN, McNICHOLS, CONNORS, ANTHONY & BUCKLEY
Forked River, New Jersey 08731

DASTI, McGUCKIN
McNICHOLS, CONNORS
ANTHONY & BUCKLEY

COUNSELLORS AT LAW

620 WEST LACEY ROAD
FORKED RIVER, N.J. 08731

RESOLUTION NO. 2024-101

RESOLUTION OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING RULES AND REGULATIONS FOR THE USE OF PICKLEBALL COURTS

WHEREAS, the Borough of Surf City maintains recreational courts for the playing of tennis and pickleball ; and

WHEREAS, the governing body wishes to establish rules and regulations for the use of its recreational courts for the playing of pickleball, a copy of which is attached hereto and made a part hereof as Schedule "A".

NOW, THEREFORE, BE IT RESOLVED, this 12th day of June 2024, 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 adopt rules and regulations for the use of its recreational courts for the playing of pickleball, a copy of which is attached hereto and had a part hereof as Schedule "A".
2. That a copy of the Resolution together with a copy of the rules and regulations shall be kept on file in the Office of the Municipal Clerk and made available for public inspection during normal business hours.
3. That a certified copy of this Resolution shall be forwarded by the Municipal Clerk to the Superintendent of Public Works for the proper posting.

**DASTI, McGUCKIN
McNICHOLS, CONNORS
ANTHONY & BUCKLEY**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
FORKED RIVER, N.J. 08731

CERTIFICATION

I, Christine Hannemann, Municipal Clerk of the Borough of Surf City, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at a regular meeting held on June 12, 2024.


CHRISTINE HANNEMANN, RMC/CMC
 Borough Clerk, Borough of Surf City

Method	Approved			Denied	Carried		
	Moved	Second	Ayes	Nays	Abstain	Absent	Note
Council Member							
DeBenedetto	✓		✓				
Hartney			✓				
Wm. Hodgson			✓				
Little			✓				
McMenamin		✓	✓				
Siciliano			✓				

**DASTI, McGUCKIN
McNICHOLS, CONNORS
ANTHONY & BUCKLEY**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
FORKED RIVER, N.J. 08731

Prepared by:

DASTI, McGUCKIN, McNICHOLS, CONNORS, ANTHONY & BUCKLEY
Forked River, New Jersey 08731

RESOLUTION 2024-102

BE IT RESOLVED by the Borough Council of the Borough of Surf City, that the application of LBI Beverage, LLC, trading as the Surf City Hotel, located at 800 Long Beach Boulevard, Surf City, New Jersey, for the renewal of their Plenary Retail Consumption License No. 1531-32-001-008 be, and it is hereby approved, and the Municipal Clerk is hereby authorized and directed to issue the aforesaid renewal license effective July 1, 2024, with a "Broad Package Privilege".

CERTIFICATIONS

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 June 12, 2024, 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

Method	Approved			Denied	Carried		
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto			✓				
Hartney	✓		✓				
Wm. Hodgson		✓	✓				
Little			✓				
McMenamin			✓				
Siciliano			✓				

RESOLUTION 2024-103

BE IT RESOLVED by the Borough Council of the Borough of Surf City, that the application of Anchor Wine and Spirits, LLC trading as Anchor Wine and Spirits, located at 1500 Long Beach Boulevard, Surf City, New Jersey for the renewal of their Plenary Retail Consumption License No. 1531-32-002-004 be and it is hereby approved and the Municipal Clerk is hereby authorized and directed to issue the aforesaid renewal license effective July 1, 2024 with a "Broad Package Privilege".

CERTIFICATIONS

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 June 12, 2024, 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

Method	Approved			Denied	Carried		
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto			✓				
Hartney			✓				
Wm. Hodgson	✓		✓				
Little			✓				
McMenamin		✓	✓				
Siciliano			✓				

RESOLUTION 2024-104

WHEREAS, the Women's Auxiliary of the Surf City Vol. Fire Company #1 and EMS has applied for license 24-08 for an on-premises merchandise raffle to take place on July 16, 2024, from 9:00 am to 3:00 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 24-08 be issued for on-premises merchandise raffle to be held on July 16, 2024 from 9:00 am to 3:00 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 June 12, 2024, at 7:30 PM in the Council Chambers at 813 Long Beach Boulevard Surf City, NJ.



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

Method	Approved			Denied		Carried	
	Moved	Second	Ayes	Nays	Abstain	Absent	Note
Council Member							
DeBenedetto			✓				
Hartney							<i>Recuse</i>
Wm. Hodgson			✓				
Little	✓		✓				
McMenamin			✓				
Siciliano		✓	✓				

RESOLUTION 2024-105

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that the applications for probationary membership in the Surf City Volunteer Fire Co. submitted by Fred Madonna 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 June 12, 2024 at 7:30 PM in the Council Chambers at 813 Long Beach Boulevard Surf City, NJ.

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

Method	Approved			Denied	Carried		
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto			✓				
Hartney							Recuse
Wm. Hodgson			✓				
Little		✓	✓				
McMenamin			✓				
Siciliano	✓		✓				

RESOLUTION 2024-107

WHEREAS, the Governing Body of the Borough of Surf City wishes to honor distinguished individuals whose lifework and civic endeavor served to enhance life in this community; and

WHEREAS, Stanley Joseph Nidowisz is 100 years old on June 7, 2024; and

WHEREAS, served in the Navy from December 1943 through May 1946, mainly aboard LCM 94 in the Pacific as a Machine Machinist 3rd Class; and

WHEREAS, during World War II, his ship was deployed as part of the LSM Unit in Nagasaki; and

WHEREAS, neighbors and visitors love to sit around and listen to Stanley tell his life stories and tales of the old days on Long Beach Island; and

WHEREAS, some of the stories include “dune-bashing” across the island with surplus Jeeps before the Boulevard was built; and

WHEREAS, Mr. Nidowisz lived and worked at the Crane’s Surf City Hotel until 1999, where his friends still host an annual birthday party to celebrate him. He has remained a Surf City resident thereafter; and

WHEREAS, this year, his friends have petitioned this Governing Body to honor Stanley Nidowicz; and

WHEREAS, he is one of only 119,500 of the great Americans still alive who fought and won during World War II; and

WHEREAS, 100 years ago, on June 7, 2024, Stanley Joseph Nidowicz was born; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Surf City that Stanley Joseph Nidowicz be celebrated and honored for his achievements on this grand occasion of his 100th Birthday.

BE IT FURTHER RESOLVED that a certified copy of this resolution, duly adopted on June 12, 2024, executed by the Mayor and attested by the Municipal Clerk, be transmitted to our good friend and neighbor, Stanley Nidowicz.

FRANCIS R. HODGSON, Mayor
Borough of Surf City

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

RESOLUTION 2024-108

NOW, THEREFORE, BE IT RESOLVED that Kyle Hunter and Troy Luongo be appointed to the Department of Public Works as Laborers at \$17.50 per hour, effective May 9, 2024, to September 30, 2024, part-time, with no benefits.

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 June 12, 2024, 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

Method	Approved			Denied	Carried		
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto			✓				
Hartney			✓				
Wm. Hodgson			✓				
Little			✓				
McMenamin	✓		✓				
Siciliano		✓	✓				

RESOLUTION 2024-109

NOW, THEREFORE, BE IT RESOLVED that the following listed individuals are appointed as employees in the Lifeguard Department effective as of this date at the corresponding weekly rate of pay, pending satisfactory approval of a physical and all eligibility requirements have been met prior to start date. Said appointments shall terminate on September 14, 2024.

1ST YEAR \$17 per hour

Chase Matthews
Zoe Moore
Darren ankosko
Killian Todd
Jake Sherlock
Lucas Lattimer
Quinn Schrader
Chris Mauthe
Olivia Turner
Brooke Bushnell
Blake Bushnell
Morgan Gonser

2nd YEAR \$17.25 per hour

John Sibia
Erin Eversen
Allison Vile
Joey Ritchie
Laura Ritchie
Brody Reynolds
Katherine Renaud
Brian Nasielski
Madison Matthews
Sydney Jordan
Lily Goldberg
Bridget Dougherty
Dean Batelli
Megan Balerna
Christian Kotarski
Nikita Shaeffer
Jon James
Erin Dunphy

3rd YEAR \$17.50 per hour

Stephanie Balerna
Ashton Garrison
George Wade
Ryan Todd

Luke Sherlock
Sean White
Nate Selert
Emma McMurry
Michael Kotarski
Haley Kearns
Kaden Jason
Parker Ballingall

4th YEAR \$18.00 per hour

Matt Sivo
Shane Stauffer
Isabella Pollock
Jack Kearns
Zachary Kandel
Brooke Batelli
Matthew Sivo
Gabby Kovaly
Paige Menegus

5th YEAR \$18.25 per hour

Kieran Hyland
Trevor Ballingall
Jessie Ballingall

6th YEAR \$18.50 per hour

Krista Ritter
Adam Clay

7TH YEAR \$18.75 per hour

Luke Lane
Lindsey Brown

8TH YEAR \$19 per hour

CJ Turner

9TH YEAR 3rd LIEUTENANT \$23.25 per hour

Pepper Kohlman

11TH YEAR \$20.00 per hour

Kelsey Hyland

12th YEAR \$20.25 per hour

Sean Gordon

14TH YEAR \$20.75 per hour

Dave Bonanni

16TH YEAR \$25.00 per hour
John (Connor) McMenamin

20th YEAR 2ND LIEUTENANT \$26.50 per hour
Ryan Bonanni

24th YEAR \$21 per hour
Laura Ashley Morris LIT Director

26th YEAR \$21 per hour
Ross Reynolds

28th YEAR 1st Lieutenant \$28.00 per hour
Collette Prete 1st Lieutenant

41st YEAR Captain \$41 per hour
Mark Dileo Captain

1st Year Gator Program Drivers \$17 per hour
Matthew Began
Nicholas Bruno
Vincent DiSalvio
Olivia Ladd

Returning Gator Program Drivers \$17.50 per hour
James Henry 4th Year
Alfred Batelli 3rd Year
Francis Calise 3rd Year
Tom Krenn 2nd Year
Malcolm Leslie 2nd Year

NOW, THEREFORE, BE IT FURTHER RESOLVED that Mark Dileo be paid an hourly rate of \$26.00 for off-season and preparatory work. Collette Pretre, Ashley Morris, Ryan Bonanni, Conner McMenamin, Pepper Kohlman, Shane Stauffer, shall be paid an hourly rate of \$17.00 off-season preparatory work, all hours to be approved by the Administrator, effective shall terminate on October 31, 2024; and

BE IT FURTHER RESOLVED that Ross Reynolds, Connor McMenamin, Kelsey Hyland, CJ Turner, Jessie Ballingall, Kieran Hyland, Jack Kearns, Parker Ballingall, be authorized to fill in for lieutenants in their absence at a rate of \$20 per hour.

BE IT FURTHER RESOLVED that the LIT Director shall be paid at the rate of \$5 additional per hour that those lifeguards working as LIT Instructors shall be paid at the rate of \$2.50 additional per hour when working in that capacity.

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 June 12, 2024, at 7:30 PM in the Council Chambers at 813 Long Beach Boulevard Surf City, NJ.



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

Method	Approved			Denied		Carried	
	Roll Call						
Council Member	Moved	Second	Ayes	Nays	Abstain	Absent	Note
DeBenedetto	✓		✓				
Hartney			✓				
Wm. Hodgson		✓	✓				
Little			✓				
McMenamin			✓				
Siciliano			✓				

RESOLUTION 2024-110

NOW, THEREFORE, BE IT RESOLVED that the following listed individuals are appointed seasonal employees in the Bathing Beach Department, effective as of this date unless otherwise noted, and shall terminate on September 2, 2024 at the corresponding pay rate.

BEACH BADGE CHECKER/SELLERS

1st Year \$15.25 per hour

Mia Baral
Julianna Carly Black
Kierstan Cygal
Alexis Faulds
Violet Fischer
Brandon Foster
Gerard Guthlein
Ella Lapp
Alexandra Mussacchio
Thomas Oram, Jr.
Naqiyah Royster
Claudine Tisha C. Fajardo
Logan John Tompkins
Christian Turso
Cooper Wotek

2nd Year \$15.50 per hour

Junior Colonna
Zoey Cotton
Kyra Faulds
Gavin Heydt
Louis Rossino Jr.
Katelyn Scagnelli

3rd Year \$15.75 per hour

Rena DiNeno
Griffin Lesnevich
Wynter Hall

5th Year \$16.25 per hour

Aiden Gridley
Jake Shoemaker
Emily Smith

6th Year \$16.75 per hour

Tyler Leidemer

9th Year \$17.50 per hour

Malandra, Matthew

FILL IN ASSISTANT SUPERVISOR - \$18 per hour

Aiden Gridler – 5th Year

Wynter Hall – 3rd Year

Tyler Leidmer – 6th Year

Emily Smith – 5th Year

ASSISTANT SUPERVISOR

Alisabeth Rose Flamingo – 1st Year - \$19 hour

Susan Kelly – 1st Year - \$20 per hour

Lesley Odgers – 1st Year - \$20 per hour

Jake Shoemaker – 5th Year - \$20 per hour

SUPERVISOR

Renee Pawlishak, -14th year - \$23.50 per hour

BOAT RAMP ATTENDANT/BEACH BADGE CHECKER/SELLER at \$17.00 per hour

Matthew Malandra – 9th Year

Gerard Guthlein – 1st Year

Tyler Leidemer - 6th Year

Aiden Gridler – 5th Year

CERTIFICATION

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CHRISTINE HANNEMANN, RMC/CMR/QPA

Municipal Clerk/Administrator

Method	Approved			Denied	Carried		
	Moved	Second	Ayes	Nays	Abstain	Absent	Note
Council Member							
DeBenedetto			✓				
Hartney	✓		✓				
Wm. Hodgson			✓				
Little			✓				
McMenamin			✓				
Siciliano		✓	✓				