

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. McMenamain, Councilwoman Jaqueline L. Siciliano, and Mayor Francis R. Hodgson. None were absent.

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

Borough Attorney Christopher J. Connors, Chief Financial Officer Michael P. Gross, Police Chief Jack Casella, and Acting Superintendent Leonard Wilson were also present.

Councilman Hartney moved to approve the April 10, 2024, minutes. Councilman Little 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. Hartney, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamain, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Little moved to approve the introduction and first reading of Ordinance 2024-08. Councilman Hartney seconded the motion. With a vote in the affirmative, Ordinance 2024-08 was approved for the first reading. This ordinance removes the term Certificate of Occupancy and replaces it with Resale Certificate, as the NJDCA requires.

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 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.

Council President Wm. Hodgson moved to approve the introduction and first reading of Ordinance 2024-09. Councilman DeBenedetto seconded the motion. With a vote in the affirmative, Ordinance 2024-09 was approved for the first reading. This ordinance establishes a process for the rules of pickleball play.

ORDINANCE 2024-09

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. McMenamain, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to approve the introduction and first reading of Ordinance 2024-10. Councilman McMenamain seconded the motion. With a vote in the affirmative, Ordinance 2024-10 was approved at the first reading. This ordinance revises the stormwater chapter to accommodate new rules created by the NJDEP.

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 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.

Council President Wm. Hodgson moved to approve the introduction and first reading of Ordinance 2024-11. Councilman DeBenedetto seconded the motion. With a vote in the affirmative, Ordinance 2024-11 was approved at the first reading. This ordinance revises some of the language of signage in the business zone.

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.

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.

Council President Wm. Hodgson moved to open the public hearing for Ordinance 2024-06. 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. McMenamín, 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. McMenamín, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

Councilman Hartney moved to approve the final reading of the Ordinance 2024-06 by title. Councilman McMenamín seconded the motion. With a vote in the affirmative, Ordinance 2024-06 was adopted. This ordinance amends the Flood Control Chapter and determines whether the proposed work constitutes substantial improvement or repair of substantial damage.

ORDINANCE 2024-06

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, 2000" AS THE SAME IN CHAPTER 21 PERTAINS TO "FLOOD CONTROL"

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 McMenamín moved to open the public hearing for Ordinance 2024-07. 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. McMenamín, and Mrs. Siciliano. Nays: none. Abstentions: none.
Absent: none.

Josh Conway spoke in favor of outdoor dining.

Chuck Petrone, Esq. advised the Borough Council that he represented the Bitman family. He had concerns about the Council's authority to create zoning changes and their impact on the site plan process.

Chris Connors, Esq. explained that the Land Use Board reviewed Ordinance 2024-07.

A woman named Robin did not provide her name or address but stated that an annual meeting should be held with business owners for a year-round solution.

Dennis Switaj stated that everyone is in favor of outside dining.

Kathy Casey asked about the ordinance for outdoor dining and the process.

Chris Connors, Esq. explained the ordinance and the process.

Bob Burnett stated that this should be a referendum and other comments.

Linda Kerr asked how the Council came about the fifteen percent seating number.

Greg Gerwartz talked at length about seating and outdoor dining. He also spoke about his proposal.

Justine Lau asked about off-site parking.

Greg Gerwartz spoke more about the Surf City Hotel proposal.

Jim Nast asked if the ordinance provided canopies or tents.

Casey Deacon spoke about the changes that have taken place since the pandemic concerning outdoor dining.

Barbara Boetticher asked about the outdoor seating.

Beth Cody, who works at the Surf City Hotel, favors outdoor dining.

Chris Connors, Esq. explained and compared the provisions of the Governor's Outdoor Dining Executive Order and Ordinance 2024-07.

Greg Gewirtz reiterated his early statements about outdoor dining and the Surf City Hotel's proposal.

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 2024-07 by title. Councilman McMenamin seconded the motion. With a vote in the affirmative, Ordinance 2024-07 was adopted. This ordinance removes the 24-seat limitation from the existing outdoor dining ordinance.

ORDINANCE 2024-07

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

Resolutions 2024-82 through 2024-89 were considered and approved, as attached.

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

Councilman McMenamin provided the April 2024 sanitation analysis. The trash truck would arrive in mid to late June. He then moved Resolution 2024-90, which was considered and approved, as attached.

Councilman DeBenedetto reported on the progress of the pickleball courts. Upon approval, the proposed rules will be posted to the courts. The 2024 NJDCA Recreational grant for fencing around the courts, the ball field, and three basketball backboards has been submitted. The new fire engine and dune buggy playground equipment will be installed soon. If anyone wants to drive a Gator this summer, please get in touch with Mark Dileo. He then moved Resolution 2024-91, which was approved, as attached.

Council President Wm. Hodgson provided the statistical report for April 2024. He reminded everyone that the traffic lights will be turned on May 20th. He then moved Resolution 2024-93, which was approved, as attached.

Councilwoman Siciliano reported on the April 2024 DPW streets and roads work order report. The street sweeper has come through town, and we are not pleased with the results. The administrative offices will see that the sweeping has been corrected. She will attend a meeting with the NJDOT and other LBI representatives on May 10th at 1:00 p.m. in Ship Bottom to discuss the next steps of the project.

Councilman Hartney reported that the Barnegat Bay Blitz on April 26th was a success. The County is hard-packing the street side of the dune walkovers. He moved Resolution 2024-79, which was approved and attached. The DPW will be working on the beach side of the dune walkovers. He invited everyone to join him for the Memorial Service on May 25, 2024, at 11:00 am.

Councilman Little read the April 2024 water & sewer report. We completed hydrant flushing last week and are working on the gate valve on Well 7. The department repaired road patches throughout town. The broken fire hydrant at Sunset and 22nd Street was repaired, and the crew is restoring another on N. 2nd Street. Councilman Little also spoke about the history of the Memorial Day service and invited all to come.

The Borough received the following requests:

- Sharon Mahoney requested that residents place SAVE LBI yard signs on their properties for the summer.
- Carl Hartmann requested that the Association of Surf Angling Clubs fishing tournament be held on October 19, 2024, and that beach buggy fees be waived.
- Kyle Costabile requested that the Surf City Volunteer Fire Company & EMS have permission to use the S. 3rd Street yard for a two-day hands-on drill.
- Kyle Costabile also requested the Surf City Volunteer Fire Company & EMS borrow barricades and be permitted to have amplified music for the 3rd Annual Cornhole Tournament.

- Susanne Gilbert has requested that the Surf City Taxpayers Association be permitted to use Richard A. Zachariae Park for the annual foul shooting contest and 14th Street Beach for the sand sculpture contest.
- The Alliance for a Living Ocean and the Surf City Taxpayers Association have requested that a toy box be installed and maintained at Bay Beach.

Councilwoman Siciliano moved to approve the requests with the exact provisions as in the past. Councilman DeBenedetto would manage the request for the toy box, providing a certified playground installer to install the box and executing a hold harmless agreement. Council President Wm. Hodgson seconded the motion. With a vote in the affirmative, the requests were approved as presented.

The roll call reflected the following votes for approval: Mr. DeBenedetto, Mr. Wm. Hodgson, Mr. Little, Mr. McMenamain, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none. Councilman Hartney recused himself from the consent vote because fire company matters were an order of business.

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

BE IT RESOLVED BY 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	\$256,049.91
Current	\$3,203,511.36
Payroll Account	\$191,728.30
Dog License Account	\$3.60
Ice Cream Vendor Account	\$0.00
Escrow Release	\$0.00
Tax Certificate Account	\$0.00

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

Date: May 8, 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. McMenamain, and Mrs. Siciliano. Nays: none. Abstentions: none. Absent: none.

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

Chuck Petrone, Esq., spoke about the impact of modifications to the business zone without site plan approvals.

Jennifer Bitman does not have a problem with outdoor dining. She is asking for the doors to be closed when music is amplified and a shade to block the disco lights. She also asked for crowd control and for the patrons to enter from the Boulevard.

Rob Burnett spoke to Jennifer Bitman's comments and claimed no one uses the back entrance.

Jennifer Bitman claimed that the number of seats is a gift and that the hotel spent many years in business without outdoor dining.

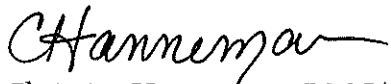
John Gausz addressed her comments.

Councilwoman Siciliano moved to allow for tents under the Governor's Executive Order.

Council President Wm. Hodgson seconded the motion. With a vote in the affirmative, the motion was approved. 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 Hartney moved to adjourn the meeting. Councilman McMenamín seconded the motion. With a vote in the affirmative, the meeting was adjourned. 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.

Respectfully submitted,



Christine Hannemann, RMC/CMR/QPA

Borough Clerk/Administrator

ORDINANCE 2024-06

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, 2000" AS THE SAME IN CHAPTER 21 PERTAINS TO "FLOOD CONTROL"

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

SECTION I

Chapter 21 Section 3.14(d) is hereby amended as follows.

Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage. This determination requires evaluating previous permits issued for improvements and repairs over a period of ten years before the permit application or substantial damage determination.

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 is 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

According to law, this ordinance shall take effect immediately after final 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, April 10, 2024, at 7:30 PM in the Council Chambers of the Municipal Building. This ordinance amends the Flood Control Chapter and determines whether the proposed work constitutes substantial improvement or repair of substantial damage. This determination requires evaluating previous permits issued for improvements and repairs over a period of ten years before the permit application or substantial damage determination.

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, May 8, 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 given the opportunity to be so heard. Full copies are available in the Municipal Clerk's office during regular business hours.

CHRISTINE HANNEMAN, RMC/CMR/QPA

Municipal Clerk/Administrator

ORDINANCE 2024-07

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

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

SECTION I

Chapter 30 Section 5.2(f)(b) entitled Principal Uses and Buildings Permitted shall be amended to read as follows:

Outdoor tables and chairs shall not exceed 15% of the previously approved indoor seating and a minimum of two tables with no more than eight chairs.

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 January 1, 2024.

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Mayor and Council of the Borough of Surf City, County of Ocean, State of New Jersey, on Wednesday, April 10, 2024, at 7:30 PM at 813 Long Beach Boulevard, Surf City, New Jersey. This ordinance removes the twenty-four seat limit for outdoor dining.

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, May 8, 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

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

	<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				

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-

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 _____, 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 _____, 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 2024-10

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).

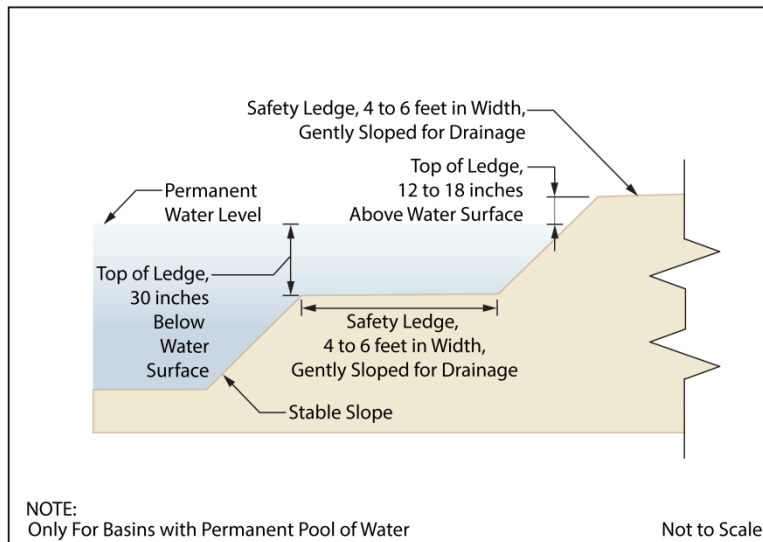
- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the 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

	<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 #2024-11

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, McGUCKIN,
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. McMenamain, 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. McMenamain, and Mrs. Siciliano. Nays:

none. Abstentions: none. Absent: none.

RESOLUTION 2024-82

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Surf City that the Memorandum of Agreement and Contract with the Surf City members of the P.B.A. Local #175, as attached hereto and effective from January 1, 2024, through December 31, 2028, be and is hereby approved, and the Mayor and Municipal Clerk are authorized to affix their signatures thereto.

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.



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 2024-83

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Surf City that the Mayor and Borough Clerk be authorized to execute an agreement with Brown & Brown Benefit Advisors for one year with additional one-year renewal periods.

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.



Christine Hannemann, RMC/CMR/QPA

Municipal Clerk/Borough Administrator

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

RESOLUTION 2024-84

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

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

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

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

1. The Mayor and Municipal Clerk of the Borough of Surf City shall be authorized and directed to enter and execute a Shared Services Agreement.
2. This resolution shall take effect immediately upon final adoption.

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.



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 2024-85

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

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

NOW, THEREFORE, BE IT RESOLVED that authorization be given to the Chief Financial Officer to release the length of service funds to Lincoln Financial for qualifying members for \$46,080.00.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on May 8, 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							<i>Recuse</i>
Wm. Hodgson			✓				
Little	✓		✓				
McMenamin			✓				
Siciliano			✓				

RESOLUTION 2024-86

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

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

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

<u>Item</u>	<u>Department</u>	<u>Approx. Amount</u>	<u>Vendor</u>
Lifeguard Truck	Beach Patrol	\$31,880.86	National Auto Fleet Group
Fire Hydrant Shore	Water & Sewer	\$4,765.78	Core & Main
Recording Microphones	Court & LUB	\$2,128.42	BIS Digital
I5 Sand - walkovers	Beach	\$7,452.00	Silvi Sand

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution duly adopted by the Governing Body at a meeting held on May 8, 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

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

RESOLUTION 2024-87

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Surf City, that the Chief Financial Officer be and is hereby authorized to pay the State of New Jersey, Department of Community Affairs Life Hazard Use \$771.00 Fee.

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.



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

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

RESOLUTION 2024-88

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Surf City that the Borough Engineer be authorized to prepare the following Fall 2024 Capital Projects.

- Plans and bids for the S. 2nd Street bulkhead.
- Plans and bids for the NJDOT Road Reconstruction Project for the 100 Block of N. 1st, N. 2nd, and M. 3rd Streets.
- Plans for the N. 22nd Street end repair.
- Plans and bid specs for the N. 14th Street Water Tower repairs and painting.

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.



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

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

RESOLUTION 2024-89

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

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

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

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

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

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

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution 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.



Christine Hannemann, RMC/CMR/QPA

Municipal Clerk/Borough Administrator

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


RESOLUTION 2024-90

NOW, THEREFORE, BE IT RESOLVED that the following persons be appointed part-time, no benefits to the Department of Public Works as Laborers at the following hourly rates through September 30, 2024.

- Jared Russo \$17.25
- Michael McCarthy \$17.50
- Jacob Ceekler \$17.50
- Logan Ceekler \$17.50
- Joseph Frazier \$18.00

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body of The Borough of Surf City at a meeting held on May 8, 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	
	Moved	Second	Ayes	Nays	Abstain		
Council Member							
DeBenedetto			✓				
Hartney			✓				
Wm. Hodgson			✓				
Little			✓				
McMenamin	✓		✓				
Siciliano		✓	✓				

RESOLUTION 2024-91

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Surf City that the following lifeguard in training instructors be appointed to conduct background investigations.


- The LIT Instructors will be as follows:
Laura Ashley Morris
Ross Reynolds
Nate Selert
Kelsey Hyland
Krista Ritter

- The lifeguards that we will use for LIT subs as needed will be as follows:
Shane Stauffer
Parker Ballingall
Jessie Ballingall
Haley Kearns
Jon James

BE IT FURTHER RESOLVED that Collette Pretre, Jack Kearns, Ryan Bonanni, Pepper Kolman, Shane Stauffer and Jon James be appointed part-time, no benefits for preseason preparations at an offseason rate of \$17.00 per hour.

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution 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.


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

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

RESOLUTION 2024-92

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Surf City that the following individuals be appointed as beach badge supervisors, part-time, no benefits, effective June 1, 2024, through September 2, 2024.

Alisabeth Rose Fiamingo at a rate of \$19.00 per hour

Lesley Dunham Odgers at a rate of \$20 per hour

Susan Kelly at a rate of \$20 per hour

CERTIFICATION

I, CHRISTINE HANNEMANN, Municipal Clerk of the Borough of Surf City, do hereby certify the foregoing to be a true and exact copy of a resolution 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.



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 2024-93

WHEREAS, the Office of Community-Oriented policing services (COPS) has announced the application period for the FY 2024 cops hiring program and

WHEREAS, the COPS hiring program is a competitive grant program that provides funding directly to law enforcement agencies having primary law enforcement authority to impact their community policing capacity and problem-solving efforts; and

WHEREAS, there is no local match and the conclusion of the federal funding period, grantees must retain all sworn officer positions awarded under the COPS hiring grant for a minimum of one year and

NOW THEREFORE BE IT RESOLVED by the Borough Council of Surf City to authorize the Chief of Police, Jack Casella, to prepare and submit the application and paperwork needed for the COPS hiring program.

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.



Christine Hannemann, RMC/CMR/QPA

Municipal Clerk/Borough Administrator

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