

BOROUGH OF LONGPORT  
COMMISSION MEETING  
NOVEMBER 22, 2013

PURSUANT TO THE OPEN PUBLIC MEETINGS ACT, ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED IN ACCORDANCE WITH THE LAW.

**AGENDA**

1. *Flag Salute- Meeting called to order*
2. *Open Public Meeting Announcement-Fire Exits-Public Speaking time limit*
3. *Presentation- NJDEP and Army Corps of Engineers/Shorefront Protection*
4. *2nd Reading/Public Comment-Roll Call*

**O2013-21** AN ORDINANCE AMENDING CHAPTER 76 CONSTRUCTION, CONTAINERS, AND DUMPSTERS OF THE CODE OF THE BOROUGH OF LONGPORT

**O2013-22** AUTHORIZING THE EXECUTION OF EASEMENTS ON PUBLICLY OWNED LANDS AS IT RELATES TO SHOREFRONT PROTECTION

**O2013-23** AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTIES BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN, SAID PROPERTIES BEING IDENTIFIED ON THE ANNEXED SCHEDULE AND PARCEL MAPS

5. *Motion to approve MINUTES for 10/23 & 11/14 (workshop)*
6. *Public Comment/Questions on Resolutions listed on this agenda (3 minutes/person)*
7. *Resolutions*
  - R2013-107** *Authorizing Transfer of Appropriations*
  - R2013-108** *Award of Contract to TRICO for Purchase of a New 2014 Backhoe Loader*
8. *Bill Pay List + Financial Report Summary*
9. *Commissioners' Reports*
10. *Public Comment*
11. *Adjournment*

Posted: 11-21-2013

Revised:

**Announcements:**

*Holiday Concert sponsored by the Longport Historical Society- Dec 8/Commission Chambers @ 7 pm*

*Social Luncheon – Dec. 11 sponsored by Longport Beach Patrol*

*Regular Commission Meeting Dec. 4 and Dec. 18 @ 4:30 pm*

*Workshop Meeting Dec. 12 @ 8:45 am*

**BOROUGH OF LONGPORT**

**ORDINANCE 2013-21  
AN ORDINANCE AMENDING CHAPTER 76  
CONSTRUCTION, CONTAINERS, AND DUMPSTERS  
OF THE CODE OF THE BOROUGH OF LONGPORT  
ATLANTIC COUNTY NEW JERSEY**

**BE IT ORDAINED BY THE COMMISSIONERS OF THE BOROUGH OF LONGPORT that:**

**Chapter 76  
CONSTRUCTION TRAILERS, DUMPSTERS, PORTABLE STORAGE UNITS,  
AND TEMPORARY STORAGE FACILITIES**

**§76-1 Definitions.**

Unless otherwise expressly stated, the following terms, whenever used in this chapter, shall respectively be deemed to mean:

**Construction Trailer** -A wheel based, non -self-propelled flatbed or container used primarily for the transportation and/or storage of construction material and equipment. A box container which has been temporarily or permanently removed from a chassis or truck bed shall not be considered a trailer. *Construction trailers shall not imply trailers for office use or occupancy of any kind.*

**\*\*\*Be amended to read as follows:**

**Construction Trailer** – a wheel based, non-self-propelled flatbed or container used primarily for the transportation and/or storage of construction material and equipment. A box container which has been temporarily or permanently removed from a chassis or truck bed shall not be considered a trailer.

**Dumpster** - A rigid container designed and used for the temporary storage and routine disposal of building generated solid waste and construction related materials, which unit is placed on a construction site for the sole use of the property owners or contractor during construction, demolition, and/or remodeling of a building. *For the purposes of this Chapter, no dumpster shall be greater than 20 cubic yards in capacity or have a standing height of greater than 4.5 feet.*

**\*\*\*\*Be amended to read as follows:**

**Dumpster** - A rigid container designed and used for the temporary storage and routine disposal of building generated solid waste and construction related materials, which unit is placed on a construction site for the sole use of the property owners or contractor during construction, demolition, and/or remodeling of a building.

**Portable Storage Unit (PSU)** - A transportable unit designed and used for temporary storage of household goods, personal items, construction materials and supplies, and other such material, which unit is placed on a construction site for the sole use of the property owner or contractor on a regulated basis.

**Temporary Storage Facility** - A temporary storage facility shall consist of a non transportable site constructed, normally wood sided facility to temporarily house construction debris and material for eventual transfer to a dumpster or construction trailer.

**§76-2. Limitations.**

- A. A properly licensed construction trailer that is attached or detached from the carrier vehicle may be permitted to remain on the street provided:
1. The unit is placed on the street directly within the extended property limits. Should no parking be permitted on the side of the property being constructed, the trailer may be parked across the roadway within the permitted parking area; but must be removed at the end of each workday.
  2. All construction trailers parked on the street must be removed or placed onsite ~~between sunset Friday and sunrise Monday.~~

**(section A-2) BE AMENDED TO READ AS FOLLOWS:**

2. All construction trailers parked on the street must be removed or placed on site at the end of each workday.
  3. No construction trailers may be permitted to park on Beach block streets and alleys (between Atlantic Avenue and the Ocean) ~~or Beach Terrace~~ between the Friday before Memorial Day and the Tuesday after Labor Day.
  4. No construction trailers may be permitted to park on alleys (between Atlantic Avenue and the Ocean) or Beach Terrace at any time
- B. No dumpster, portable storage unit, or temporary storage facility shall be permitted within any public street or alley right of way at any time.

**§76-3 Operation.**

- A. No dumpster, portable storage unit, or temporary storage facility shall be placed on private property without the issuance of a permit from the Longport Construction Code Office.
- B. All dumpsters or temporary storage facilities that are exposed to rainwater shall be covered at all times ~~use~~ such that there is no spilling, dumping, leaking, or otherwise the discharging of liquids, semi-solids, or solids from the containers to the Municipal or County Stormwater System and/or the Waters of the State.
- C. No dumpster, portable storage unit, or temporary storage facility shall be loaded in such a manner as to cause its contents to spill onto the street or sidewalk area.
- D. Delivery, removal and/or loading/unloading of dumpster, portable storage unit, or temporary storage facility shall only take place during Construction Hours as defined in Chapter 116 of the Longport Code.

**§76-4. Issuance and display of permit.**

- A. An approved permit from the Longport Construction Code Office shall be required for the placement of all dumpsters, portable storage units, or temporary storage facility. The Borough of Longport Construction Code Office shall issue the permit if it appears that the applicant has the need, and can reasonably accommodate the proposed unit on the property without nuisance to adjoining property. The Longport Construction Code Office shall also consult with the Fire Marshall as to the fire safety of the proposed location.

- B. Said application for any onsite unit shall require the submission of a Property Survey on which shall be the proposed location of the unit in addition to the proposed dimensions to adjoining property lines as well as the street right of way.
- C. No permit authorized by this chapter shall be granted except pursuant to an Application on a form provided by the Borough, which Applications must be signed by both the Contractor and the Property Owner
- D. No permit shall be issued until the fee, hereinafter described, shall be paid to the Borough.
- E. The permit shall be displayed in a conspicuous position on the job site during the period of its use.

#### **§ 76-5. Fees.**

The fee payable for permits issued under this article shall be \$100 for each portable storage unit/dumpster/temporary construction container for a period of 30 days. The permit may be renewed for an additional 30 days for a fee of \$50.

#### **§ 76-6. Violations and penalties.**

Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punished by a fine not to exceed \$1,000; and each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

## **Article II. Dumpster Maintenance**

#### **§ 76-7. Purpose.**

The purpose of this article is to require dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and to prohibit the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system operated by the Borough of Longport and/or the waters of the state so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

#### **§ 76-8. Definitions.**

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meaning stated herein unless their use in the text of this article 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.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Longport or other public body, and is designed and used for collecting and conveying stormwater.

**PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

**REFUSE CONTAINER**

Any waste container that a person controls whether owned, leased or operated, including dumpsters, temporary storage facility, trash cans, garbage pails, and plastic trash bags.

**STORMWATER**

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewage or drainage facilities, or is conveyed by snow-removal equipment.

**WATERS OF THE STATE**

The ocean and its estuaries, all springs, streams and bodies of surface water or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

**§ 76-9. Covering of containers and dumpsters; prevention of leaks and discharges.**

- A. Any person who controls, whether owned or leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.
- B. Any person who owns leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-fluids or solids to the municipal separate storm sewer system operated by the Borough of Longport.

**§ 76-10. Exceptions.**

Exceptions are as follows:

- A. ~~Permitted temporary demolition containers.~~
- B. Litter receptacles (other than dumpsters or other bulk containers).
- C. Individual homeowner trash and recycling containers.
- D. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
- E. Large bulky items (e.g. furniture, white goods) placed curbside for pickup.

**§ 76-11. Enforcement.**

This article shall be enforced by the Longport Police Department and/or the Code Officials of the Borough of Longport.

**76-12. Violations and penalties.**

Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punished by a fine not to exceed \$1,000; and each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

**SECTION II:** All other Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies, are hereby repealed. Should any section, subsection, clause, or portion of this Ordinance be adjudged by a Court of competent jurisdiction as invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance.

**SECTION III:** This Ordinance shall take effect immediately upon passage and publication as required by Law.

FIRST READING OCTOBER 23, 2013

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO	X					X
LEEDS	X				X	
LAWLER	X					
X X-Indicates Vote    NV-Not Voting    AB-Absent    MOT-Motion    SEC-Second						

DATE OF SECOND READING: NOVEMBER 22, 2013

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote    NV-Not Voting    AB-Absent    MOT-Motion    SEC-Second						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk's Office.

DATE OF ADOPTION: \_\_\_\_\_

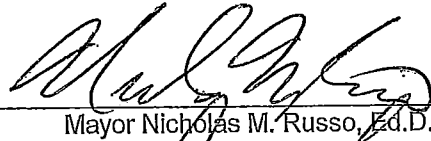
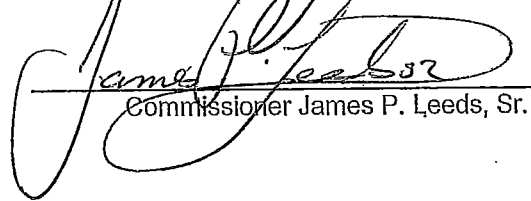
/s/ EMILIA R. STRAWDER, RMC  
MUNICIPAL CLERK

SIGNATURE PAGE FOR ORDINANCE 2013- 21

AN ORDINANCE AMENDING CHAPTER 76  
CONSTRUCTION, CONTAINERS, AND DUMPSTERS  
OF THE CODE OF THE BOROUGH OF LONGPORT  
ATLANTIC COUNTY NEW JERSEY



EMILIA R. STRAWDER, RMC  
Municipal Clerk

  
\_\_\_\_\_  
Mayor Nicholas M. Russo, Ed.D.  
\_\_\_\_\_  
Commissioner Daniel Lawler  
\_\_\_\_\_  
Commissioner James P. Leeds, Sr.

**200 LEGALS**

**BOROUGH OF LONGPORT**

NOTICE is hereby given that the following Ordinances were introduced and passed a first reading by the Borough of Longport Board of Commissioners at a meeting held on Oct 23, 2013. Copies of this Ordinance may be obtained without cost at the Borough Clerk's Office, 2305 Atlantic Ave, Longport, NJ, 08403; Mon. - Fri., 9:00 a.m. to 4:30 p.m

**ORDINANCE 2013-21**

An Ordinance Amending Chapter 76 Construction, Containers and Dumpsters of the Code of the Borough of Longport

**ORDINANCE 2013-22**

An Ordinance Authorizing the Execution of Easements on Publicly Owned Lands As It Relates to Shorefront Protection

**ORDINANCE 2013-23**

Authorizing the Acquisition of Certain Interests in Real Properties by Negotiation, Purchase, Condemnation or Eminent Domain, Said Properties being Identified on the Annexed Schedule and Parcel Maps

NOTICE that the above Ordinances will be considered for final passage at a meeting to be held on Nov 22, 2013 at 1:30 pm in the Commission Chambers, Longport Borough Hall, at which time and place a public hearing on said Ordinances will occur.

Emilia R. Strawder, RMC/CMR  
Municipal Clerk  
Printer Fee: \$25.50  
#0090807913  
Pub Date: October 28, 2013

**BOROUGH OF LONGPORT  
COUNTY OF ATLANTIC  
STATE OF NEW JERSEY**

**ORDINANCE NO. 2013-22**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF  
EASEMENTS ON PUBLICLY OWNED LANDS AS IT  
RELATES TO SHOREFRONT PROTECTION**

**PREFACE:**

The Governor of the State of New Jersey has issued Executive Order Number 140 which, in the interest of protecting the General Public Health, Safety, and Welfare from future natural disasters, stresses the need to ensure the acquisition of easements and other interests in real property necessary to facilitate the timely completion of a comprehensive system of Flood Hazard Measures. In meetings with the State Attorney General's Office, Army Corps of Engineers, and N.J.D.E.P. Bureau of Coastal Engineering, it will be necessary for the Municipality to provide easements over Public Lands owned or controlled by the Borough of Longport in order to facilitate such timely completion of Flood Hazard Measures.

**BE IT ORDAINED BY THE COMMISSIONERS OF THE BOROUGH OF LONGPORT that:**

**SECTION I:** The Mayor and Municipal Clerk are hereby authorized to execute the necessary easements on and over Public Lands owned or controlled by the Borough of Longport in accordance with the Form of Easement attached hereto for the following properties as delineated on the current Official Borough of Longport Taxing Map:

- Block 1 Lot 13
- Block 8 Lot 1
- Block 10 Lot 1
- Block 21 Lot 1
- Block 24 Lot 1
- Block 27 Lot 1
- Block 31 Lot 1
- Block 31.01 Lot 1.01
- Block 39 Lot 1
- Block 126 Lot 4.01
- Block 127 Lot 1

**SECTION II:** All other Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies, are hereby repealed. Should any section, subsection, clause, or portion of this Ordinance be adjudged by a Court of competent jurisdiction as invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance.

**SECTION III:** This Ordinance shall take effect immediately upon passage and publication as required by Law.

10-23-13							RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.							
RUSSO													
LEEDS													
LAWLER													
							X	X-Indicates Vote	NV-Not Voting	AB-Absent	MOT-Motion	SEC-Second	



**AN ORDINANCE AUTHORIZING THE EXECUTION OF  
EASEMENTS ON PUBLICLY OWNED LANDS AS IT  
RELATES TO SHOREFRONT PROTECTION**

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Mayor Nicholas M. Russo, Ed.D.

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Commissioner Daniel Lawler

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Commissioner James P. Leeds, Sr.

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Emilia R. Strawder, RMC CMR  
Municipal Clerk

**BOROUGH OF LONGPORT  
ORDINANCE NO. 2013 –23**

**AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTIES BY  
NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN, SAID  
PROPERTIES BEING IDENTIFIED ON THE ANNEXED SCHEDULE AND PARCEL MAPS**

**WHEREAS**, Superstorm Sandy caused significant and widespread damages to public and private property along the oceanfront and has greatly diminished pre-existing flood hazard risk reduction measures, making the **BOROUGH OF LONGPORT** (“Municipality”) extremely vulnerable to future storms; and

**WHEREAS**, on October 27, 2012 the Governor issued Executive Order No. 104, wherein he declared a state of emergency because of Superstorm Sandy; and

**WHEREAS**, on September 25, 2013 the Governor issued Executive Order No. 140, wherein he declared that the construction of flood hazard risk reduction measures along New Jersey’s coastline, including in the Municipality, is necessary to protect the public health, safety, and welfare from future natural disasters, and that reliance on certain statutory authority for the acquisition of property, including but not limited to N.J.S.A. 20:3-1, et seq. and N.J.S.A. App. A:9-51.5, is necessary for such efforts; and

**WHEREAS**, the State of New Jersey recognizes and supports public acquisition of certain interests in storm-damaged and storm-prone property as a priority hazard mitigation strategy to promote the public health, safety, and welfare; and

**WHEREAS**, the Mayor and Governing Body of the Municipality have concluded that it is necessary, desirable, and appropriate for the Municipality to undertake project for flood hazard risk reduction measures; and

**WHEREAS**, there is currently private ownership of certain portions of the lands where said flood hazard risk reduction measures shall be undertaken; and

**WHEREAS**, by adoption of this Ordinance the Municipality authorizes the taking of perpetual easements in a portion of each identified privately owned property by condemnation/eminent domain so that the Municipality and other entities or agents acting on behalf of the Municipality shall have access onto, over, and through said privately owned real property for the purpose of taking any and all actions necessary for completing said flood hazard risk reduction measures; and

**WHEREAS**, the Mayor and Governing Body of the Municipality further find that a public use and purpose would be served for the benefit of Municipality and surrounding communities by acquiring certain property interests in the aforesaid property, including, but not limited to, the promotion, protection, and preservation of the public health, safety, and welfare of the Municipality and its inhabitants by the acquisition of certain interests in said real property for storm damage and flood area mitigation through conducting the said flood hazard risk reduction measures, to protect public infrastructure located with the Municipality, to mitigate future storm damage and associated public recovery expenditures, and for the protection, preservation, and conservation of precious natural resources; and

**WHEREAS**, the Mayor and Governing Body of the Municipality are authorized by the New Jersey State Constitution, N.J.S.A. 40A:12-5(a), N.J.S.A. 20:3-1 et seq., and/or any other provision of

applicable law to proceed with acquiring certain property interests by condemnation/eminent domain as long as just compensation is paid for the same;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Governing Body of BOROUGH OF LONGPORT in the County of ATLANTIC and State of New Jersey as follows:

1. **RECITALS INCORPORATED**: The above recitals are incorporated into this section of the Ordinance as if specifically set forth at length herein.
2. **SPECIFIC FINDINGS**: The Mayor and Governing Body of the Municipality find that the flood hazard risk reduction measures will promote and protect the health, safety, and welfare of residents of the Municipality, and will prevent property damage and loss due to flooding, and further find that any purchase or taking by eminent domain of any and all property interests necessary for the same are all in the furtherance of a public use and purpose.
3. **AUTHORIZE CONDEMNATION**: The Mayor and Governing Body of the Municipality specially authorize any and all necessary and appropriate actions by Municipality officials including the Mayor, Municipal Clerk, Municipal Attorney, and/or Special Condemnation Attorney, in conjunction with the Office of Flood Hazard Risk Reduction Measures within the New Jersey Department of Environmental Protection and/or any other appropriate State or Federal entity, for the taking and obtaining of certain property interests in the properties as set forth herein through negotiation, purchase, or condemnation/eminent domain, including, but not limited to, the hiring of any experts, engaging the services of land surveyors, title insurance companies, appraisers, and any other professional whose services are necessary or appropriate to implement the purposes of this Ordinance, the making of any offer by the Municipality to the property owner(s) in the full amount of the appraised value of the property interest that the Municipality seeks to acquire in said property, and to negotiate in good faith with the record owner(s) of the property for its voluntary acquisition in accordance with N.J.S.A. 20:3-6, and in the event that the negotiations for the voluntary acquisition of the property interest are unsuccessful for any reason to commence a condemnation action by the filing of a Verified Complaint and Declaration of Taking, depositing the estimated just compensation with the Clerk of the Superior Court, filing a Lis Pendens, and taking any and all other actions of any administrative or other nature necessary to complete the process contemplated by this Ordinance.
4. **IDENTIFICATION OF PROPERTY**: The properties for which a taking of property interests is authorized by negotiation, purchase, or condemnation/eminent domain pursuant to this Ordinance are located in the Municipality and listed on the Municipality tax map, the legal descriptions of which are attached as Exhibit A to this Ordinance and specifically incorporated into this Ordinance by reference. The property interests to be acquired are irrevocable, perpetual, permanent easements in the properties identified herein.
5. **OFFICIALS AUTHORIZED**: All appropriate officials of the Municipality, including, but not limited, to the Mayor, Municipal Clerk, Municipal Attorney, Special Condemnation Attorney, and any and all experts or others acting on behalf of the Municipality are authorized by this Ordinance to sign any and all documentation and take any and all action necessary to effectuate the purposes and intention of this Ordinance.
6. **PURCHASE OF PROPERTY**: If a determination is made by a majority vote of the Governing Body of the Municipality that the purchase of an easement is more appropriate than the obtaining said property interest through condemnation/eminent domain, then all

appropriate officials of the Municipality, including, but not limited to, the Mayor, Municipal Clerk, Municipal Attorney, and Special Condemnation Attorney are authorized by this Ordinance to sign any and all documentation to effectuate the purchase of the property interests by the Municipality.

7. **REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.
8. **SEVERABILITY:** If any section, paragraph, subdivision, subsection, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause, or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.
9. **EFFECTIVE DATE:** This Ordinance shall take effect immediately upon final adoption and publication as required by law.

FIRST READING: 10-23-2013  
 PUBLICATION  
 FINAL READING:  
 PUBLICATION

**NOTICE**

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Governing Body of the BOROUGH OF LONGPORT, in the County of ATLANTIC and State of New Jersey held on the 23RD day of OCTOBER, 2013, and said Ordinance will be considered for final passage at the LONGPORT BOROUGH HALL, 2305 Atlantic Ave, Longport at 1:30 pm on the 22nd day of November, 2013, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

\_\_\_\_\_  
 Emilia R. Strawder, RMC  
 Municipal Clerk

1 <sup>st</sup> Reading: 10-23-2013							
RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE							
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.	
RUSSO							
LEEDS							
LAWLER							
X X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second							

**DATE OF SECOND READING: 11-22-13**

2 <sup>nd</sup> Reading: 11-22-2013							
RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE							
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.	
RUSSO							
LEEDS							
LAWLER							
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second							

**BOROUGH OF LONGPORT  
Atlantic County - New Jersey  
Resolution 2013 - 107**

**AWARD OF CONTRACT TO  
TRICO  
551 N.HARDING HWY.  
VINELAND, NJ 08360  
FOR THE  
PURCHASE OF A NEW 2014 BACKHOE LOADER  
To the Longport Public Works Yard  
31<sup>st</sup> Avenue at Devon Avenue  
Borough of Longport, NJ 08403**

**WHEREAS**, the Public Works Department received three formal bids for a **NEW 2014 BACKHOE LOADER**, which information is on file with the Chief financial Official; and

**WHEREAS**, the Commissioner of Public Works has reviewed the Bid Proposals and has recommended award to the apparent lowest responsible Bidder, **TRICO** of Vineland, New Jersey for their Total Bid Amount of **\$48,746.00**.

**NOW, THEREFORE, BE IT RESOLVED** by the Longport Borough Board of Commissioners that the recommendation of the Commissioner of Public Works is hereby accepted and that said Governing Body hereby awards, and the Chief Financial Officer is hereby authorized to execute Purchase Order/Contract for the purchase of a **NEW 2014 BACKHOE LAODER** to **TRICO** of Vineland, New Jersey for their Total Amount Bid of **\$48,746.00**; and

**BE IT FURTHER RESOLVED** that a Certificate of Availability of Funds from the Municipal Chief Financial Officer is attached hereto.

Adopted: 11-22-13

I, Emilia R. Strawder, RMC CMR, Municipal Clerk of the Borough of Longport, Atlantic County, N.J., do hereby certify the forgoing to be a true and correct copy of a Resolution adopted by the Board of Commissioners of the Borough of Longport at a Meeting of said Board of Commissioners held on November 22, 2013 and that said Resolution was adopted by not less than a two-thirds vote of the members of the Longport Borough Board of Commissioners

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**EMILIA R. STRAWDER, RMC CMR, MUNICIPAL CLERK**

**CERTIFICATION OF AVAILABILITY OF FUNDS**

As required by NJSA 40A:4-57, NJAC 5:30-14.5 and any other applicable requirement, I Jenna Kelly, Chief Financial Officer of the Borough of Longport, NJ have ascertained that there are available sufficient uncommitted appropriations to award a contract to:

**TO: TRICO EQUIPMENT SERVICES, LLC**

**FOR: 2014 BACKHOE LOADER**

**IN THE AMOUNT OF: FORTY-EIGHT THOUSAND SEVEN HUNDRED AND FORTY-SIX DOLLARS**

Funds for Certification are therefore being made available and certified against the appropriation and/or Ordinance entitled:

AMOUNT: \$ 48,746.00

ACCOUNT(S): C-04-56-917-007

TOTAL AMOUNT OF CONTACT: \$ 48,746.00

Amount Certified by this Certification: \$ 48,746.00

\_\_\_\_\_ TEMPORARY BUDGET CERTIFICATION @ 25%

X  PERMANENT BUDGET CERTIFICATION @ 100%

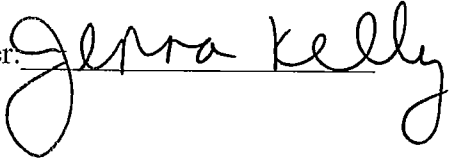
\_\_\_\_\_ CONTINGENCY CERTIFICATION:

YRS: \_\_\_\_\_ AMT: \$ \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: November 22, 2013

Chief Financial Officer: 

Resolution # 2013-107

BOROUGH OF LONGPORT

RESOLUTION # 2013-108

AUTHORIZING TRANSFER OF APPROPRIATIONS

WHEREAS, the Chief Financial Officer of the Borough of Longport deems that it is in the best interest of the Borough to transfer appropriations from the specific line items in the 2013 Current Funds; and

WHEREAS, transfers are permitted by N.J.S.A.40A:4;

NOW THEREFORE BE IT RESOLVED that the following transfers are made:

CURRENT FUND

FROM:

TO:

Police Dept SW	\$25,000	Police Dept OE	\$25,000
Beach Control SW	\$4,000	Beach Patrol OE	\$5,000
Recreation SW	\$1,000	Telephone	\$1,000
Natural Gas	\$1,000		

Adopted: 11-22-13