

**BOROUGH OF LONGPORT WORKSHOP COMMISSION MEETING
MUNICIPAL BUILDING, 2305 ATLANTIC AVE
LONGPORT, NJ 08403
WEDNESDAY, FEBRUARY 19, 2020 – 4:00 PM**

The meeting was called to order.

Municipal Clerk Kyle read the Opening Statement pursuant to the Open Public Meetings Act. *The following was added after the Opening Statement: A notice of the relocation to Commission Chambers was posted on the borough website, the bulletin board, and doors of Commission Chambers and Centennial Room on Tuesday, February 18, 2020.*

ROLL CALL:	Nicholas Russo	present
	James P. Leeds, Sr.	present
	Daniel Lawler	present (4:06 pm)

Administrator Porter, Engineer Carter, CFO Kelly, Borough Solicitor Affanato, Chief Culmone, and Municipal Clerk Kyle also in attendance.

Emergency exit/fire drill announcement – Mayor Russo.

Mayor Russo –

Mayor Russo discussed preparing a resolution for the next commission meeting to designate an alternate municipal engineer.

Commissioner Leeds –

Commissioner Leeds began discussion on the status of Borough Hall. Commissioner Lawler noted that discussion is needed regarding the HVAC system in the police department. He further explained that the police department needs to be up and running and that employees must be kept safe. There was further discussion on the HVAC system and Administrator Porter was directed to begin getting estimates on the HVAC system. The Governing Body discussed adding a resolution to the regular meeting agenda regarding work for HVAC system.

Mayor Russo discussed an advisory committee meeting that he recently participated in with Longport taxpayers regarding the future of Borough Hall. Mayor Russo noted that the committee was interested in more information including facts and figures, and that he would have staff work on having this information ready for the next advisory committee meeting. He said that he felt the committee was in agreement that the building was structurally sound. He noted that the next meeting was scheduled to be held in March.

Administrator Porter discussed the details of the resolution for HVAC improvements, noting that the cost would not exceed \$41,000, and would engage the services of Concord Engineering for consideration at the regular meeting.

Commissioner Leeds noted that the municipal budget will be introduced at the regular commission meeting. He stated that, again, this year there would be no municipal tax increase. He thanked the CFO and Administrator for their hard work to keep the tax rate flat.

Commissioner Lawler –

Commissioner Lawler - nothing further to report.

Engineer Carter –

Deferred to the Municipal Administrator.

Municipal Administrator Porter –

Municipal Administrator Porter discussed several resolutions on the agenda including fencing replacement work at the recreational area located at 33rd and Atlantic avenues. He also discussed replacing the pump at Well #1, as well as, a resolution for asbestos abatement at the Historical Society. He said that remediation work in the Centennial Room had been completed and that samples taken had come back clean. He also discussed a resolution on the agenda for engineering services for the fire department boat lift.

Commissioner Lawler asked if a pickle ball court was included in the work at the recreation complex. Discussion continued on this topic as to the potential placement of pickle ball courts at the recreation complex.

Commissioner Leeds also discussed the fencing project at the recreation complex and noted that the replacement of the poles had not been included in the scope of work.

Mayor Russo discussed work to finish the commission chambers/court room, including new flooring. Administrator Porter said that work is underway to get the room in order. He also noted that the borough had submitted an insurance claim in October and that it might receive some money from that claim. Engineer Carter discussed installing an air handler for the room and that this measure could help address any future issues in that room.

Borough Solicitor Affanato-

Borough Solicitor Affanato said that he met with Alternate Borough Solicitor Agnellini and that they discussed the Municipal Public Access Plan that had been previously submitted to New Jersey Department of Environmental Protection. He noted that Mr. Agnellini had worked with several borough residents and ultimately came up with a plan that included easements at the street ends. He noted that, recently, the NJ DEP had indicated that perhaps an ordinance could be used in lieu of an easement.

He explained that in the submitted plan the alternative of an ordinance was included instead of a street end easement. He explained that the NJ DEP rejected the ordinance and had also requested several other minor changes.

He stated that he believed that litigation with the NJ DEP would be costly and that recent legislation has provided the NJ DEP with greater authority that would most likely result in Longport losing its case. He explained that the borough would need to reconsider the granting of the street end easement access to the NJ DEP. He noted that he had concerns with the granting of the access easement based upon the borough's ability to provide an easement grant.

He stated that the plan would be revised to include the NJ DEP's requested language, as well as incorporate the street end easements, but that it would be submitted to the governing body for approval before it is re-submitted to the NJ DEP for approval.

Mayor Russo also discussed applying for an emergency maintenance permit for the beach. Solicitor Affanato noted that the permit is only valid for 60 days. There was discussion on applying for the permit in March for a start date of April 1st.

Commissioner Leeds asked if the governing body would have the Municipal Public Access Plan that would now include language granting street end easement access in writing prior to submission to the NJ DEP. Solicitor Affanato noted that the governing body would have the final say before it is re-submitted.

Commissioner Lawler asked about the status of the park at 16th Avenue. Administrator Porter noted that he spoke with Mr. Lloyd and that he has a meeting set up with Mr. Lloyd and Engineer Carter to discuss the park. CFO Kelly noted that some funding has been allocated for the project.

Municipal Clerk – Municipal Clerk Kyle had nothing further to report.

Miscellaneous - None.

ADJOURNMENT

MOTION- LEEDS, SECOND-LAWLER. All AYES- none opposed.

(4:34 pm)

**BOROUGH OF LONGPORT COMMISSION MEETING
MUNICIPAL BUILDING, 2305 ATLANTIC AVE
LONGPORT, NJ 08403
WEDNESDAY, FEBRUARY 19, 2020**

The meeting was called to order with the flag salute at 4:42 pm.

Municipal Clerk Kyle read the Opening Statement pursuant to the Open Public Meetings Act. *The following was added after the Opening Statement: A notice of the relocation to Commission Chambers was posted on the borough website, the bulletin board, and doors of Commission Chambers and Centennial Room on Tuesday, February 18, 2020.*

ROLL CALL:	Nicholas Russo	present
	James P. Leeds, Sr.	present
	Daniel Lawler	present

Borough Solicitor Affanato, Administrator Porter, Engineer Carter, Chief Culmone, Chief Clayton, Zoning Officer Funk, CFO Kelly, and Municipal Clerk Kyle also in attendance.

Emergency exit/fire drill/ public speaking limit/ library announcement – Mayor Russo.

Mayor Russo recognized numerous members of the Longport Volunteer Fire Department and Emergency Medical Services that were in attendance to honor the two proclamation recipients, William A. Fiore and Anthony Vichiarelli, Jr. The proclamations were in recognition of their years of service to the Longport Volunteer Fire Department. Mr. Fiore was recognized for 60 years of service and Mr. Vichiarelli was recognized for 50 years of service.

Chief Clayton and Chief Adams made presentations to Mr. Fiore and Mr. Vichiarelli.

A five minute recess followed the presentation of proclamations.

Presentation – Ricky Gerhardt, Longport Public Library

Mr. Gerhardt discussed a grant opportunity from the New Jersey Library Construction Bond Act for the Longport Public Library. He added that one of the qualifying factors for the grant included the library having a dedicated space agreement with the Borough for the next 20 years. There was discussion on whether this agreement should be in the form of a lease, resolution or ordinance. Mr. Gerhardt noted that in order to qualify for the grant, he would need the agreement by the next Commission Meeting scheduled for March 18, 2020. He noted that if the library was selected as a grant recipient, the funding could be used towards an addition for the Longport library. He explained that the library is looking to expand.

Solicitor Affanato had several questions for Mr. Gerhardt regarding the grant and the space dedication agreement.

Commissioner Lawler noted that he was supportive of having the library here for the next 20 years.

Commissioner Leeds questioned if other municipal libraries had applied for the grant.

Approval of minutes- Municipal Clerk Kyle requested a motion for approval of the minutes from the January 3, 2020, Regular Commission Reorganization Meeting and the January 15, 2020, combined Workshop and Regular Commission Meeting. Mayor Russo made a motion, seconded by Commissioner Lawler, to approve the minutes of the January 3, 2020, and January 15, 2020 commission meetings. ALL AYES- none opposed.

Ordinances – Second Reading/ Public Hearing of Ordinance 2020-02 – An Ordinance Authorizing Salaries, Wages and Compensation for the Certified Municipal Court Administrator

Number	Title
02	An Ordinance Authorizing Salaries, Wages and Compensation for the Certified Municipal Court Administrator
Purpose	The purpose of this Ordinance is authorize the salary, wages and compensation for the years 2019 and 2020 for the Certified Municipal Court Administrator.
Public Hearing	No one from the public wished to speak.
Motion	Motion to Approve – Commissioner Lawler, seconded by Mayor Russo to approve Ordinance #O2020-02.
Roll Call Vote	Mayor Russo – Yes. Comm. Leeds – Yes. Comm. Lawler - Yes. ALL AYES. None opposed.

Ordinances – First Reading/ Introduction of **Ordinance 2020-03 – An Ordinance to Exceed Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)**. A second reading and public hearing is scheduled to be held on March 18, 2020, at the regular Board of Commissioners Meeting. The regular meeting will take place following the conclusion of the 4 pm workshop meeting.

Number	Title
03	An Ordinance to Exceed Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)
Purpose	The purpose of this Ordinance is authorize an increase of 3.5% over the previous year’s municipal budgets appropriations for a total of \$62,264.07 in excess of the increase in final appropriations as permitted by the Local Government Cap Law
Motion	Motion – Commissioner Leeds, seconded by Commissioner Lawler to introduce Ordinance #O2020-03.

All In Favor	ALL AYES. None opposed.
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Public Comment or questions on listed resolutions:
There was none.

RESOLUTIONS

Number	Title
2020-02	A Resolution Authorizing a Non-Fair and Open Contract to Richard L. Carter, P.E., P.P., CME, RMC, for Professional Services as Longport Municipal Engineer MOTION - LAWLER, SECOND- LEEDS, All AYES- none opposed.
2020-28	A Resolution Awarding Professional Services Contract – Website Annual Maintenance Contract – City Connections, LLC MOTION - RUSSO, SECOND- LAWLER, All AYES- none opposed.
2020-29	A Resolution Appointing Members to the Borough of Longport Floodplain Management Public Information Committee MOTION – RUSSO, SECOND – LAWLER, ALL AYES – none opposed.
2020-30	A Resolution Authorizing the Disposal of Borough Furniture – No Longer Suitable or Needed for Public Use and the Sale of a Video Surveillance System through the GovDeals Program MOTION-LEEDS, SECOND- LAWLER, All AYES- none opposed.
2020-31	A Resolution for a National Incident Management System (NIMS) MOTION –RUSSO, SECOND- LEEDS, All AYES- none opposed.
2020-32	A Resolution Awarding a Professional Services Contract for an Employee Assistance Program – Life Enhancement, Inc., of Northfield, NJ MOTION - LAWLER, SECOND- RUSSO, All AYES- none opposed.
2020-33	A Resolution of the Governing Body’s Certification of Compliance with the United States Equal Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964” MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed.
2020-34	A Resolution to Authorize Introduction of the Year 2020 Municipal Budget MOTION -LEEDS, SECOND- LAWLER, Roll Call Vote: Mayor Russo – Yes. Comm. Leeds – Yes. Comm. Lawler - Yes. All AYES- none opposed.
2020-35	A Resolution for Local Unit Budget Examination MOTION – LAWLER, SECOND – LEEDS, ALL AYES – none opposed.
2020-36	A Resolution Authorizing the Budget to be Read by Title Only

2020-37	<p>MOTION-RUSSO, SECOND- LAWLER, All AYES- none opposed.</p> <p>A Resolution of Award of Contract for the Replacement of Vinyl Coated Fencing Fabric, Rails, and Fittings at the Atlantic Avenue Recreation Complex to All Vinyl Fencing</p> <p>MOTION -LAWLER, SECOND- LEEDS, All AYES- none opposed.</p>
2020-38	<p>A Resolution Authorizing the Donation of a 1999 Honda Accord to the Longport Volunteer Fire Department for Fire Fighting and Rescue Training Purposes</p> <p>MOTION - RUSSO, SECOND- LEEDS, All AYES- none opposed.</p>
2020-39	<p>A Resolution Authorizing a Professional Services Contract to Arthur W. Ponzio Co. and Associates, Inc., of Atlantic City, New Jersey for Permitting Relating to the Fire Boat Lift at the Municipal Recreation Complex – 2305 Atlantic Avenue at the Bay</p> <p>MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2020-40	<p>A Resolution Awarding an Informal Contract to A.C. Schultes for Improvements to Well No. 1</p> <p>MOTION –RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2020-41	<p>A Resolution Authorizing Award of Contract for Disaster Recovery Services Using the Educational Services Commission of New Jersey Cooperative</p> <p>MOTION – RUSSO, SECOND – LEEDS, ALL AYES – none opposed.</p>
2020-42	<p>A Resolution Authorizing an Emergency Temporary Appropriation 2020</p> <p>MOTION-RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2020-43	<p>A Resolution to Convene an Executive Session</p> <p>MOTION to WITHDRAW -RUSSO, SECOND- LEEDS, All AYES- none opposed.</p>
2020-44*	<p>A Resolution Authorizing a Non Fair and Open Professional Services Contract with Concord Atlantic Engineers, Inc. of Atlantic City, NJ for HVAC Improvements to the Community Room, Police Department, and Commission Chambers at the Municipal Hall Building – 2305 Atlantic Avenue</p> <p>MOTION-RUSSO, SECOND- LAWLER, All AYES- none opposed.</p> <p><i>*Resolution 2020-44 was added at the 2/19/2020 meeting</i></p>

BILL PAY LIST/FINANCIAL SUMMARY REPORT

Commissioner of Finance and Revenue, Jim Leeds, Sr., asked if there were any questions on the Bill Pay List of February 19, 2020. There were none. MOTION – LEEDS, SECOND – LAWLER. ALL IN FAVOR- ALL AYES. NONE OPPOSED.

Commissioner of Finance and Revenue, Jim Leeds, Sr., asked if there were any questions on the Financial Summary Report. There were none. MOTION – LEEDS, SECOND – LAWLER. ALL IN FAVOR- ALL AYES. NONE OPPOSED.

COMMISSIONERS REPORTS:

MAYOR RUSSO

Mayor Russo - nothing further to report.

COMMISSIONER LEEDS

Commissioner Leeds – nothing further to report.

COMMISSIONER LAWLER

Commissioner Lawler - nothing further to report.

ENGINEER'S REPORT

Engineer – nothing further to report.

SOLICITOR'S REPORT

Borough Solicitor Affanato discussed drafting an ordinance to address various special event requests in the borough including weddings on the beach and requests for use of borough-owned property. Commissioner Leeds also discussed the hiring of a recreation manager, and that part of the individual's responsibilities would include processing these types of requests.

MUNICIPAL ADMINISTRATOR'S REPORT

Administrator Porter – nothing further to report.

PUBLIC COMMENT

Sandy Hickerson of 210 Upland Avenue of Absecon, NJ, requested that the governing body adopt a resolution declaring the Borough of Longport a Second Amendment Sanctuary municipality. Ms. Hickerson presented the governing body with sample resolutions, including copies of resolutions adopted in other municipalities and counties. She noted that she is part of a non-partisan, grass-roots effort.

Bob English of 130 N. 32nd Avenue asked if the street end easement granted to the NJ DEP would allow for construction on it by the NJ DEP. Solicitor Affanato noted that the easement language is for access only and that it is being limited in size and is for travel only. He explained that the land is not being granted, but the ability to travel over it.

Mr. English also noted that trim work at Lifeguard Headquarters/ Community Building needs to be painted, as well as the entrance to Borough Hall. CFO Kelly noted that the borough will be requesting quotes for painting. Commissioner Lawler noted that repairs have been ongoing throughout the borough including new roofs on the gazebos.

Mr. English discussed a recent Borough Hall Advisory Committee Meeting that he attended. As a member of the committee, he noted that he believed that members still had numerous questions it needed answered before it could come to a consensus on whether to repair, renovate or rebuild Borough Hall. He added that he was concerned with resolutions being adopted that are expending large sums of money for a building that might be demolished in the near future.

Administrator Porter noted that the borough's primary concern is to address immediate concerns within Borough Hall and to keep employees safe. He noted that the process for a new building could take up to five years and that he needed to ensure the safety of employees at the present time.

Commissioner Lawler noted that he has received feedback from numerous residents and that it seemed to him that most people were in favor of keeping the building for its historic nature. He also reiterated the safety of employees and the need to move forward with making the building safe.

Adam Houde of Egg Harbor Township requested that the governing body consider passing a resolution declaring the Borough of Longport as a Second Amendment Sanctuary Community.

ADJOURNMENT

MOTION- LAWLER, SECOND-RUSSO. All AYES- none opposed.

(5:33 pm)