

**BOROUGH OF LONGPORT WORKSHOP COMMISSION MEETING  
MUNICIPAL BUILDING, 2305 ATLANTIC AVE  
LONGPORT, NJ 08403  
WEDNESDAY, June 3, 2020 – 4:00 PM**

The meeting was called to order.

Municipal Clerk Kyle read the Opening Statement pursuant to the Open Public Meetings Act. In addition, the following statement was included: a notice of this meeting to be held via **teleconference** due to the Coronavirus, COVID-19 pandemic, was emailed to the Press of Atlantic City and the Current on May 31, 2020, and posted on the front and back door of Borough Hall, bulletin board and on the Borough website on May 31, 2020.

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

Borough Solicitor Affanato, Administrator Porter, Engineer Carter, CFO Kelly and Municipal Clerk Kyle also present via teleconference.

There was no Emergency Exit Announcement due to the meeting being held via teleconference.

Mayor Russo:

Mayor Russo discussed a proposed project by the Longport American Legion to hang banners in the Borough to honor all the Wounded Warriors that were honored in Longport. The banners would have the Wounded Warrior's photo and be hung along a section of Oberon Avenue. They would be visible for a period of three weeks, the week before and after, as well as the week of Wounded Warrior Week event.

Commissioner Lawler and Commissioner Leeds were both in favor of the project.

Commissioner Leeds noted that there might be a need to contact Atlantic City Electric for permission to place the banners on the poles. Engineer Carter said he would work with Administrator Porter on this project.

Mayor Russo discussed 'grass sidewalks' in the Borough and the need to have these areas paved for the public's safety. He noted that the absence of sidewalks in these areas, often forces pedestrians into the street. He was also concerned about those with disabilities who cannot traverse the grass area, noting for an example those using wheelchairs. Mayor Russo noted that these properties have been identified by the Borough and he would like to put out a proposal to have the sidewalk areas paved.

Engineer Carter asked if the Governing Body wanted to have the work done during the summer or if it should wait until the fall. Mayor Russo wanted to know how long it would take and perhaps it could be

done in sections so it could be completed quickly for public safety reasons. Mayor Russo was agreeable to waiting until after Labor Day, but wanted the specs and bids prepared now.

Mayor Russo discussed swimming protocols at Longport beaches. He noted that he was very impressed with the detailed beach protocols developed by Beach Patrol Chief Kelm. He stated that swimming is currently permitted on Longport beaches.

Mayor Russo asked about the Beach Maintenance Plan. Solicitor Affanato noted that the Beach Maintenance Plan has not been submitted yet, but that the Municipal Public Access Plan was submitted and he was awaiting feedback from the NJ Department of Environmental Protection.

Mayor Russo discussed an upcoming beach replenishment project for Absecon Island that included sections of Borough beaches. He noted that the NJ DEP has only provided estimates at this time. Engineer Carter discussed that the beach fill is being discussed for the area between 16<sup>th</sup> and 11<sup>th</sup> avenues. Mr. Carter also explained the funding formula for the beach fill.

Mayor Russo said that he received an offer from local volunteers to help remind people on the beach to social distance. He discussed the various measurements used across the world for social distancing, noting that 6 feet is what has been established in the United States. Commissioner Lawler said that reminding beach patrons to social distance was the Borough's responsibility. Solicitor Affanato was also concerned regarding any liability that the Borough might have regarding the use of volunteers. It was decided that enforcing social distancing on the beach should be handled by the Borough.

Mayor Russo requested an update regarding ice cream vending on the beach. Administrator Porter noted that he has received some interest since the last meeting from persons interested in selling ice cream on the beach.

Administrator Porter asked for guidance on whether or not the Borough should go out to bid, again, or sell ice cream itself. Commissioner Lawler noted that the Borough would need to research if it the Borough would be required to have some type of license in order to sell ice cream. Commissioner Lawler also said that Philadelphia Water Ice said that it could assist the Borough in selling its ice cream by providing items such as freezers and ice cream products. He said that ice cream could be sold at the same area as the beach tags at 33<sup>rd</sup> and Atlantic avenues. He noted that this could be an option if the Borough cannot find a vendor to sell ice cream on the beach.

Solicitor Affanato explained that a resolution could be passed at the regular meeting to go out for bid and still have enough time to award a vending license at the next regular commission meeting on June 17<sup>th</sup>. Solicitor Affanato said that there are some issues he would have to look at regarding the Borough selling ice cream. Some of his concerns included, would the purchase of ice cream products and the needed equipment to sell it, need to be placed out for bid. Commissioner Lawler thought it was a good idea for the Borough to go out for bid to see if there is a vendor that would be interested in selling ice cream on the beach. He said if this did not work out, the Borough could then look into selling ice cream.

Mayor Russo asked if a draft resolution for the beach vending license had been prepared for the commission meeting. Administrator Porter said one was ready, but asked if a minimum bid should be inserted and if so, what amount. Mayor Russo also discussed accepting background checks completed by Margate and Ventnor police departments if the vendor is the same, to help expedite the process so the vendor is ready for the July 4<sup>th</sup> weekend. Solicitor Affanato noted that Chief Culmone would need to

weigh in on this matter. He noted that if a person had undergone a background check in 2020 in either Margate or Ventnor, that it could be a conditional permission to start selling on Longport's beaches, but that the vendor might still need to undergo a background check completed by the Longport Police Department.

Mayor Russo asked what number resolution this would be for the regular meeting. It was noted that it would be Resolution 2020-80. Solicitor Affanato noted that the only item that needed to be addressed at this time for the license was a minimum bid amount. The Governing Body decided that \$20,000 would be a fair minimum bid for the beach vending license. They also decided that the surety bid, in the form of a certified check, should be \$2,000.

Commissioner Leeds:

Commissioner Leeds discussed that he traveled Longport beaches with borough employees and noted that there were some people who were not properly social distancing.

Commissioner Leeds also discussed that Ocean City is requiring that tents/ cabanas be placed near the dunes and that their ordinance also included language on social distancing. He thought the Borough should revisit its ordinance regarding beach tents/ cabanas.

Commissioner Leeds expressed concern with keeping public restrooms sanitized at the Community Building and Borough Hall. He was also concerned with the costs involved to keep the bathrooms sanitary. He said that Administrator Porter is getting estimates from both Public Works as well as the cost to hire someone to do this.

Commissioner Leeds asked if there had been a determination from the volunteer committee assembled to determine the future of Borough Hall. Mayor Russo noted that committee meetings had been put on hold due to the COVID-19 pandemic.

Mayor Russo said that the Borough must provide restrooms for the public. He was strongly in favor of keeping the bathrooms open to the public. Commissioner Lawler agreed with Mayor Russo with the need to keep public restrooms open for beachgoers.

Commissioner Lawler discussed various options on how to sanitize bathrooms at a minimal expense to the Borough. He also discussed hand sanitizers that he saw on the Ocean City boardwalk and recommended placing some of these throughout the Borough for public use. Borough Solicitor Affanato said that the Borough is not legally obligated to keep bathrooms open, but there is information in an Executive Order on how to keep bathrooms sanitary. He also noted that access to public restrooms was an important component of the Municipal Public Access Plan.

Commissioner Lawler:

Commissioner Lawler agreed with Commissioner Leeds that it is a good idea to re-visit the beach tent/ cabana ordinance. Commissioner Lawler noted he was on the beach this weekend and that even though crowded, people were social distancing. He said that the Beach Patrol could remind people if necessary. He added that he did notice some college-aged groups that had gathered on the beach. He also discussed a letter that Chief Culmone issued addressing recent protests.

Engineer:

Engineer Carter had two items for discussion. He said that he completed plans and spec work for 32<sup>nd</sup> to Margate border on Atlantic Avenue and that he would soon submit this to the State and that at the next meeting there will be a resolution requesting funding from the State for Atlantic Avenue from 22<sup>nd</sup> to 27<sup>th</sup> avenue to marry up with a future sewer project in that area.

Solicitor:

Solicitor Affanato said there is a resolution for the Governing Body's consideration at the regular meeting regarding a change order for Schultes. He explained that a contract was offered to them to replace well #1 and that an issue occurred where the new pump got stuck in the well. He added that there was debate on who was at fault. He said that a resolution was worked out that would include increasing the amount of the contract that included scrubbing the scale off of the well and additional work, and that the contractor would now be responsible for any future problems encountered while getting well #1 back online.

Solicitor Affanato explained that the new well, well #4, is at least a year out from completion and that there is discussion with allowing the Borough to keep well #1 as a backup well if needed and not decommissioning it as initially discussed. He said that well #2's pump has exceeded its lifespan and it is important to have well #1 back online if needed. Commissioner Leeds commended the solicitor, engineer and administrator in their effort in this matter.

Solicitor Affanato discussed the opening of Borough Hall to the public, and the status of parks and recreational facilities. He discussed a new Borough executive order that allows ocean swimming at the discretion of the lifeguards. He noted that the administrator is working on updated signage for the beach. He said that the tennis courts were open, but that the basketball courts and playground remain closed. He noted that the Governing Body might want to discuss a timeline for opening Borough Hall to the public.

He also discussed a stipend for the volunteer fire department that will be introduced at that regular meeting and that the stipend amount is in line with State and Federal regulations so that it does not cross the line for a paid department/ employee.

Commissioner Leeds also discussed gatherings of 25 people and how it is regulated by what the Governor has determined via Executive Order. Solicitor Affanato also noted that the social distancing guidelines do not apply to immediate family members.

Municipal Administrator:

Administrator Porter said he is working on addressing keeping the bathrooms clean and has placed a job advertisement in the hopes of hiring someone for this purpose. Administrator Porter discussed opening Borough Hall to the public. Commissioner Lawler asked when the Borough can open Borough Hall. Solicitor Affanato noted that the Borough has voluntarily closed and can open at any time. Mayor Russo noted that he would like to open as soon as possible. Administrator Porter discussed June 15<sup>th</sup> as a potential date. The Governing Body was in agreement with this date.

Commissioner Leeds noted the importance of wearing a mask for both the public and employees as well as the need to maintain social distancing. There was a discussion on placing signage on the doors so the public is aware of the face-covering requirement. Administrator Porter discussed marking six-foot demarcations on the floor to help maintain social distancing.

Municipal Clerk:

Municipal Clerk Kyle discussed the upcoming Primary Election and that a polling location needs to be certified to the County. Mayor Russo suggested inside Borough Hall instead of the Fire Department.

Municipal Clerk Kyle discussed the Beach Tag Contest Presentation and if it could occur at the next meeting or if it should be rescheduled. Mayor Russo suggested waiting to see if there is any updated information regarding indoor gatherings from the Governor's Office in the next few days.

Municipal Clerk Kyle also noted that there is a Municipal Election in November and the information for candidate packets would soon be posted on the website.

Miscellaneous:

None.

**Motion to Adjourn** – Commissioner Lawler, seconded by Commissioner Leeds. All in Favor – Yes. None Opposed. Meeting adjourned at 5:02 pm.

**BOROUGH OF LONGPORT COMMISSION MEETING  
MUNICIPAL BUILDING, 2305 ATLANTIC AVE  
LONGPORT, NJ 08403  
WEDNESDAY, June 3, 2020**

The meeting was called to order with the flag salute at 5:02 pm.

Municipal Clerk Kyle read the Opening Statement pursuant to the Open Public Meetings Act. In addition, the following statement was included that notice of this meeting scheduled to be held via **teleconference** due to the Coronavirus, COVID-19 pandemic, was emailed to the Press of Atlantic City and the Current on May 31, 2020, and posted on the front and back door of Borough Hall, bulletin board and on the Borough website on May 31, 2020.

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

Borough Solicitor Affanato, Administrator Porter, Engineer Carter, \*CFO Kelly, and Municipal Clerk Kyle also present via teleconference. *\*CFO Kelly had to leave the meeting early due to a family emergency.*

Public speaking announcement – Mayor Russo. No emergency exits announcement due to the meeting being held via teleconference.

Approval of minutes-

Municipal Clerk Kyle requested a motion for approval of the minutes from the May 20, 2020, Workshop and Regular Commission Meeting. Mayor Russo made a motion, seconded by Commissioner Lawler, to approve the minutes of the May 20, 2020, Workshop and Regular Commission Meeting. ALL AYES- none opposed.

Mayor Russo made a motion to add Resolution 2020-80 to the agenda, seconded by Commissioner. All In Favor – All Ayes. None Opposed.

**Ordinances- SECOND READING/ PUBLIC HEARING on Ordinance O2020-04 – An Ordinance Amending the Salaries, Wages and Compensation in Year 2020 for Seasonal Employees and Certain Temporary Employees.**

**PUBLIC HEARING ON ORDINANCE 2020-04:**

Marcia Walsh of 4 N. 32<sup>nd</sup> Avenue discussed Ordinance 2020-05 and said that an ordinance was already approved in 2019 for salary and wages. She questioned why the amounts were being increased when an ordinance was already in place. She also wanted to see the names of those in the job descriptions to

see if there was duplication. She said she was concerned about the salary ranges noting that some seemed very excessive and wanted an explanation on the ranges. She also questioned why a city administrator was hired. She noted that the Mayor and Commissioner have been handling these duties for years and questioned what has changed at Borough Hall that an administrator was now needed. She also questioned the duties and qualifications of the administrator.

Ms. Walsh also expressed that she felt the beach patrol chief should be responsible for the beach patrol's payroll and schedule. She noted that perhaps other chiefs or lieutenants could assist the chief, if needed. She had questions regarding the recreation supervisor's position as well as the purpose of this position— what were the duties involved and if it was an hourly or a salaried position. She said that Longport's librarian handled much of the borough's recreational activities and added that he does an excellent job.

She also said that the Borough should have proper sanitization techniques in place and should send this to the Governor to document that the Borough is complying with COVID-19 sanitization regulations for a safe summer environment. She expressed her concern that public works should not be cleaning bathrooms in the event that an employee gets infected and spreads it to the entire public works department. She noted that safety was a prime concern, not cost.

Ms. Walsh also called for transparency in government. She noted that most residents were not aware of what was happening in Borough Hall until after it was already done. She expressed the need to have morning, afternoon, and evening meetings to accommodate everyone.

She also suggested that members of the police department ride ATVs on the beach to address any groups that were not following social distancing guidelines. She explained that lifeguards need to watch the water and should not be responsible for enforcing social distancing. She stated that she did not approve of Ordinance 2020-05 until employee names, job descriptions, and qualifications were provided and how it would affect the budget and Borough taxes.

CFO Kelly was not available to address some of her concerns.

Commissioner Lawler addressed Ms. Walsh's questions pertaining to the hiring of a business administrator. He noted that many municipalities have a business administrator and he explained that as commissioners, they cannot discuss business outside of a commission meeting environment. The Governing Body had noted that things were not running efficiently and that an administrator was needed. Commissioner Lawler explained that hiring an administrator has been the best decision that Governing Body has made. Ms. Walsh expressed that the residents of the town would have liked to have more say on the hiring of an administrator. She said that the residents should have been able to participate in the job interview process. Commissioner Lawler explained that the Governing Body was elected to handle these decisions for the Borough. Ms. Walsh explained that she would like to see the names and salaries of employees and to have more say on how tax payer money is spent. She requested to have this information by the next commission meeting. Commissioner Lawler explained that this information can be requested through OPRA. Ms. Walsh reiterated the need for more transparency. She restated her question regarding the need to have a recreation supervisor and expressed her concern that public works not clean public restrooms.

Commissioner Lawler explained that over the past four years, municipal taxes have not increased. He added that the only way taxes would increase would be due to County tax increases. He also explained

that taxes would not go up this year. Ms. Walsh asked that Ordinance 2020-05 be shelved until the public had the opportunity to review everyone’s performance to see if they should get an increase. She wanted to know what the percentage of increase would be and how that is decided. She noted that more transparency was needed in government.

Ms. Walsh also questioned the recreation supervisor’s position. Commissioner Lawler discussed that another person was needed to help oversee certain staff and procedures.

Ms. Walsh noted that you needed to put safety first whether it was costly or not, and not to put public works employees at risk. She also suggested the police enforce social distancing. She also noted that the beach patrol chief could handle payroll and schedules.

Solicitor Affanato reminded the public of the three minute public comment rule.

No one else wished to speak.

Number	Title
04	An Ordinance Amending the Salaries, Wages and Compensation in Year 2020 for Seasonal Employees and Certain Temporary Employees
Purpose	This Ordinance amends the salaries, wages and compensation for seasonal and certain temporary employees for the year 2020.
Motion	Motion – Mayor Russo, seconded by Commissioner Lawler to adopt Ordinance #O2020-04.
Roll Call Vote	Mayor Russo – Yes. Commissioner Leeds – Yes. Commissioner Lawler – Yes. ALL AYES. None opposed.

**Ordinances- FIRST READING/INTRODUCTION of Ordinance O2020-05 – An Ordinance Amending the Salaries, Wages and Compensation in Year 2020 for Employees not Covered by Previous Ordinance or Union Contract.** A Second Reading and Public Hearing is scheduled to take place on June 17, 2020, following the 4 pm Workshop. This meeting may be held via Teleconference due to the COVID-19 Pandemic.

Number	Title
05	An Ordinance Amending the Salaries, Wages and Compensation in Year 2020 for Employees not Covered by Previous Ordinance or Union Contract.
Purpose	This Ordinance amends the salaries, wages and compensation for certain employees not Covered by Previous Ordinance or Union Contract.
Motion	Motion – Commissioner Lawler, seconded by Mayor Russo to introduce Ordinance #O2020-05.



All In Favor	ALL AYES. None opposed.
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Mary Finnegan requested that the names of persons holding job positions be listed. Mayor Russo noted that he would have names added.

Solicitor Affanato reminded the public of the rules of order for the Commission Meeting.

Public Comment or questions on listed resolutions:

There was no comment on the resolutions.

**RESOLUTIONS**

Number	Title
2020-76	A Resolution Authorizing a Change Order to an Informal Bid Contract to A.C. Schultes, Incorporated of Woodbury, NJ for Improvements to Well Number 1 at the Public Works Complex – 31 <sup>st</sup> and Devon Avenues MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2020-77	A Resolution Authorizing the Disposal of Surplus Property – Gov Deals MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2020-78	A Resolution Award of Contract to M. Walley Concrete Contractor, 103 Arlington Avenue, Linwood, NJ 08221, for the Replacement of the Steps at the Firehouse at 2301 Atlantic Avenue MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2020-79	A Resolution Award of Contract to Allied Elevator, 1602 Hylton Road, Pennsauken, NJ 08110 for the Yearly Maintenance of Borough of Longport Elevator at Longport Borough Hall MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2020-80*	A Resolution Adopting Rules and Regulations for Beach Vending, Adopting Terms and Conditions of Licensure and Giving Notice for the Sale of a Beach Vending License MOTION – LAWLER, SECOND- RUSSO, All AYES- none opposed. <i>*This resolution was added to the agenda at the meeting.</i>

**BILL PAY LIST**

Commissioner of Finance and Revenue, Jim Leeds, Sr., asked if there were any questions on the Bill Pay List of June 2, 2020. There were none. MOTION – LEEDS, SECOND – LAWLER. ALL IN FAVOR - ALL AYES. NONE OPPOSED.

**COMMISSIONERS REPORTS:**

**MAYOR RUSSO**

Nothing further to report.

**COMMISSIONER LEEDS**

Nothing further to report.

**COMMISSIONER LAWLER**

Nothing further to report.

**ENGINEER'S REPORT**

Nothing further to report.

**SOLICITOR'S REPORT**

Nothing further to report.

**MUNICIPAL ADMINISTRATOR'S REPORT:**

Nothing further to report.

**PUBLIC COMMENT**

Ellen Stein of 2 S. Yarmouth Avenue discussed a NJ Transit bus stop in front of her home and noted that there several other stops in the area. She noted that the bus driver parks in front of their home late in the evening and wakes them up. She is asking that the topic of bus stops in the borough be re-visited. Mayor Russo noted the Borough will look into the bus stop and the Administrator will follow up with Ms. Stein. She would like to see it re-routed or removed from the route.

Delores Wilson of 111 S. 16<sup>th</sup> Avenue requested that at all beach entrances there be added a separate sign stating when dogs are not permitted on the beach. She noted that currently there are many dogs on the beach and many are unleashed. She said more signage is needed to inform beachgoers. Mayor Russo noted that the Borough will look into the situation. Commissioner Lawler noted that many people are under the wrong assumption that dogs are permitted until May 31<sup>st</sup>.

Bob English of 130 N. 32<sup>nd</sup> Avenue noted that due to the pandemic lots of people are having items shipped to their homes and that during the winter season, recycling is collected every other week, and wanted to know if there is a drop off area for recycling at the public works yard, of if the Borough can create one for resident use for overflow of recyclables.

Mr. English explained that he is an avid bicyclist and noted that numerous joggers, walkers, and people pushing strollers are often using the bicycle lane. It was noted that this can create a dangerous situation. Mayor Russo discussed possibly handing out pamphlets to remind the public of the proper use of the bicycle lanes. He also said he would check with Public Works to see if there is space for a recycling drop off area. Mr. English asked if it would be reasonable for the police to let joggers running in bicycle lanes know of the lanes proper use.

**ADJOURNMENT**

MOTION – COMMISSIONER LAWLER, SECOND – MAYOR RUSSO. All AYES- none opposed.

(5:43 pm)