

**BOROUGH OF LONGPORT WORKSHOP COMMISSION MEETING  
MUNICIPAL BUILDING, 2305 ATLANTIC AVE  
LONGPORT, NJ 08403  
WEDNESDAY, OCTOBER 20, 2021 – 4:00 PM**

The meeting was called to order.

Municipal Clerk Kyle read the Opening Statement pursuant to the Open Public Meetings Act. A notice of this meeting was emailed to the Press of Atlantic City and the Current on October 15, 2021. In addition, copies of notices were posted on the bulletin board and filed in the office of the municipal clerk. Notices on the bulletin board have remained continuously posted.

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

Borough Solicitor Affanato, CFO Kelly, Administrator Porter, Chief Culmone, Engineer Dennis, and Municipal Clerk Kyle also present.

Mayor Russo stated the location of emergency exits and explained that public comment is not permitted during workshop meetings. He added that there are several opportunities for public comment during the regular commission meeting.

Administrator Porter:

Administrator Porter said that the New Jersey Department of Environmental Protection recently approved the Borough's five-year Beach Maintenance Permit. He said that the permit's rules and regulations were reviewed with the Public Works Department. Solicitor Affanato said he would meet with Public Works when it was ready to begin beach maintenance to help ensure compliance. Mayor Russo requested an update regarding the davits on the beach. Solicitor Affanato said that he believed that any potential violation pertaining to the davits had been resolved. There was further discussion on this topic.

**PROCLAMATION – presented to the Longport Beach Patrol for its fifth consecutive win in the 2021 South Jersey Lifeguard Championships. Mayor Russo read the proclamation into the record.**

Administrator Porter (continued):

Administrator Porter discussed a resolution that was on the regular meeting agenda to award a street opening repair project to Slade Construction. He explained that in the future, this project would be occur on a yearly basis.

Borough Solicitor Affanato:

Solicitor Affanato discussed a right-of-way agreement on the agenda that would allow fencing to be installed in the Borough right-of-way. He also discussed bulkhead repairs at 36<sup>th</sup> Avenue and the bay. He said that the Borough has been in contact with the adjoining property owner regarding several options for repairs. The options included: requesting that the private property owner turn over upland rights to the Borough so it would be responsible for bulkhead maintenance and repairs (the owner would

maintain the riparian rights); having the property owner work with the Borough on a joint basis to repair the bulkhead; or requesting that the property owner allow the Borough to place equipment on his property so that the Borough would have the ability to repair its section of the bulkhead. He also said that the bulkhead was recently inspected and that its condition is far worse than what was previously thought and that it would need to be repaired soon. Solicitor Affanato explained that the owner was not interested in the first option, but instead was requesting that the Borough allow him to build a small home on the property and he would repair the bulkhead. Solicitor Affanato explained that building a small home on the lot was not a viable option as it would not be permitted per the Borough's zoning ordinances. He also discussed some of the challenges of a joint private/public repair project. There was discussion about getting two separate prices for the project: one for the Borough and the other for the private property owner. It was noted that costs for a private property owner would be less than those charged to the Borough. Solicitor Affanato also discussed action that the Borough might have to take if the owner did not move forward with repairs to his section of the bulkhead. Engineer Dennis also discussed what the Borough's responsibility if it decided to move forward with the third option to repair its section of the bulkhead. There was further discussion on this topic including obtaining engineering plans and required State permits.

Solicitor Affanato said he met with Commissioner Leeds to discuss short term rentals in the Borough. He noted that he would come up with some recommendations on this topic for the Governing Body's consideration.

Solicitor Affanato explained that he met with Zoning Officer and Community Rating System Coordinator Funk about a flood prevention ordinance that the State is requiring municipalities to adopt. He said that it would supersede some of the Borough's ordinance, including the amount of freeboard required during construction. If a municipality does not adopt the ordinance, Solicitor Affanato explained that the municipality stands to lose significant CRS points, which affects flood insurance rates. He also said that Zoning Officer and CRS Coordinator Funk would most likely provide a presentation on this new ordinance to the Governing Body.

He also explained that the Borough has a new handbook from the Mel-JIF. There was further discussion on this topic.

Mayor Russo asked Solicitor Affanato about the affordable housing report submitted by Clarke Caton Hintz Company. Solicitor Affanato reviewed the three options provided in the report. The first option he did not recommend, which was to do nothing. The second included performing a vacant land analysis and adopting legislation based on the analysis. The third included going to court to try and get a settlement approved regarding affordable housing for the Borough. He added that this last option might be both costly and possibly unnecessary as the Borough does not have the amount of required vacant land available. He added he was working on getting a revised estimate for the vacant land analysis from the consultant.

#### Engineer Dennis:

Engineer Dennis discussed the Well #4 Building project. He said that the project is going out to bid with a bid opening scheduled for November 23, 2021. He explained that he met with ARH and made several suggestions and some minor changes to the plans, including changing the appearance of the building to make it more aesthetically pleasing. He explained that if funding is available (based on the bid opening project costs) the project could be awarded at the December 1<sup>st</sup> meeting. He discussed the potential construction time line as well as funding options. It was noted that the well cannot be operational until

the well house is completed and inspected. Some funding options discussed included bonds and grant monies. CFO Kelly also discussed funding options for this and other water/sewer projects.

Mayor Russo:

Mayor Russo nothing further to discuss.

Commissioner Leeds:

Commissioner Leeds nothing further to discuss.

Commissioner Lawler:

Commissioner Lawler discussed the installation of a second solar-powered speed monitoring sign. There was further discussion on this topic, including traffic patterns and vehicle speeds in the Borough. He also discussed regulating the use of the herbicide Roundup in the Borough. Solicitor Affanato said he would look into this.

Municipal Clerk Kyle:

Municipal Clerk Kyle announced that Early Voting begins Saturday October 23<sup>rd</sup> through October 31<sup>st</sup>. She explained that more information on Early Voting was available on the Borough's website. Municipal Clerk Kyle noted that an addition was made to Resolution 2021-110 to include the grant number.

Miscellaneous:

None.

**Motion to Adjourn** – Commissioner Lawler, seconded by Commissioner Leeds. All in Favor – Yes. None Opposed. Meeting adjourned at 4:46 pm.

**BOROUGH OF LONGPORT COMMISSION MEETING  
MUNICIPAL BUILDING, 2305 ATLANTIC AVE  
LONGPORT, NJ 08403  
WEDNESDAY, OCTOBER 20, 2021**

The meeting was called to order with the flag salute at 4:47 pm.

Municipal Clerk Kyle read the Opening Statement pursuant to the Open Public Meetings Act. A notice of this meeting was emailed to the Press of Atlantic City and the Current on October 15, 2021. In addition, copies of notices were posted on the bulletin board in the Municipal Building and filed in the office of the municipal clerk. Notices on the bulletin board have remained continuously posted. Official action may be taken at this meeting.

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

Borough Solicitor Affanato, CFO Kelly, Administrator Porter, Chief Culmone, Engineer Dennis, and Municipal Clerk Kyle also present.

Emergency Exits, Public Speaking Announcement information provided by Mayor Russo.

Approval of minutes-

Municipal Clerk Kyle requested a motion for approval of the minutes from the September 22, 2021, Workshop and Regular Commission Meeting. Commissioner Leeds made a motion, seconded by Commissioner Lawler, to approve the minutes. ALL AYES- none opposed.

A Second Reading/ Public Hearing was held on the following ordinances:

**Ordinance O2021-18 – An Ordinance Amending Chapter 161 – Vehicles and Traffic of the Code of the Borough of Longport, Atlantic County, New Jersey, as it Pertains to Handicapped Parking.** Solicitor Affanato explained that *this ordinance was being withdrawn so that it could be re-introduced with a significant amendment for a first reading later in this meeting.*

**Ordinance O2021-19 – An Ordinance Amending Chapter 72-7 Charter Buses (Hours of Operation) of the Borough of Longport, County of Atlantic and State of New Jersey**

No one wished to speak on this ordinance.

**O2021-20 – An Ordinance Amending Chapter 161-9 Vehicles and Traffic (Trucks over four tons excluded from certain streets) and Chapter 161-10 (Violations and Penalties) of the Borough of Longport, County of Atlantic and State of New Jersey.**

No one wished to speak on this ordinance.

**Ordinance O2021-21 – An Ordinance Amending The Code of the Borough of Longport Chapter 61 – Beaches, Parks, Recreational Areas, and Facilities, Article I. Regulations of Paid Beaches, Section 61-2B Beach Fees.**

No one wished to speak on this ordinance.

**ORDINANCES:**

Number	Title
<p>2021-18</p> <p>Purpose</p> <p>Motion</p> <p>Roll Call Vote</p>	<p>An Ordinance Amending Chapter 161 – Vehicles and Traffic of the Code of the Borough of Longport, Atlantic County, New Jersey, as it Pertains to Handicapped Parking</p> <p>The purpose of this ordinance is amend Chapter 161 to remove a handicapped parking space.</p> <p>There was no motion on this ordinance as it was withdrawn and would be re-introduced for a first reading due to significant changes.</p> <p>A vote was not taken as the ordinance was withdrawn.</p>
<p>2021-19</p> <p>Purpose</p> <p>Motion</p> <p>Roll Call Vote</p>	<p>An Ordinance Amending Chapter 72-7 Charter Buses (Hours of Operation) of the Borough of Longport, County of Atlantic and State of New Jersey</p> <p>The purpose of this ordinance is to amend Chapter 72-7 regarding the times a charter autobus may pick up or drop off passengers in the Borough. It also allows the Chief of Police the ability to grant exemptions to the ordinance.</p> <p>Motion – Mayor Russo, seconded by Commissioner Lawler to Adopt Ordinance #O2021-19.</p> <p>Mayor Russo – Yes    Commissioner Leeds – Yes    Commissioner Lawler – Yes ALL AYES. None opposed.</p>
<p>2021-20</p> <p>Purpose</p> <p>Motion</p> <p>Roll Call Vote</p>	<p>An Ordinance Amending Chapter 161-9 Vehicles and Traffic (Trucks over four tons excluded from certain streets) and Chapter 161-10 (Violations and Penalties) of the Borough of Longport, County of Atlantic and State of New Jersey</p> <p>The purpose of this ordinance is to restrict certain deliveries on any public right of ways in the Borough of Longport and to amend the violations and penalties. It also provides the Chief of the Police with the ability to grant exemptions to the ordinance.</p> <p>Motion – Commissioner Leeds, seconded by Mayor Russo to Adopt Ordinance #O2021-20.</p> <p>Mayor Russo – Yes    Commissioner Leeds – Yes    Commissioner Lawler – Yes ALL AYES. None opposed.</p>

2021-21	An Ordinance Amending The Code of the Borough of Longport Chapter 61 – Beaches, Parks, Recreational Areas, and Facilities, Article I. Regulations of Paid Beaches, Section 61-2 Beach Fees.
Purpose	The purpose of this ordinance is to amend Chapter 61 Beach Fees to provide fees set by resolution for holiday beach tag sales.
Motion	Motion – Commissioner Leeds, seconded by Commissioner Lawler to Adopt Ordinance #O2021-21.
Roll Call Vote	Mayor Russo – Yes    Commissioner Leeds – Yes    Commissioner Lawler – Yes ALL AYES. None opposed.

The following ordinances was introduced for a first reading/ introduction:

First Reading/ Introduction of Ordinance O2021-18 – An Ordinance Amending Chapter 161 – Vehicles and Traffic of the Code of the Borough of Longport, Atlantic County, New Jersey, as it Pertains to Handicapped Parking. *A second reading and public hearing will be held at the November 19, 2021, commission meeting following the 9 am workshop meeting.*

**ORDINANCES:**

Number	Title
2021-18	An Ordinance Amending Chapter 161 – Vehicles and Traffic of the Code of the Borough of Longport, Atlantic County, New Jersey, as it Pertains to Handicapped Parking
Purpose	The purpose of this ordinance is amend Chapter 161 to remove two handicapped parking spaces.
Motion	Motion – Mayor Russo, seconded by Commissioner Leeds to Introduce Ordinance #O2021-18.
All in Favor	ALL AYES. None opposed.

Public Comment or questions on listed resolutions:

There was no public comment or questions on the listed resolutions.

**RESOLUTIONS – CONSENT AGENDA (R2021-136 through R2021-149):**

Number	Title
2021-136	A Resolution Setting the Price of the Borough of Longport Holiday Beach Tags MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-137	Change Order of Contract to Leafy Green Landscaping for the 2021 Lawn Care & Spring Clean Up at Various Locations MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-138	A Resolution to Increase the Fixed Asset Limit Threshold as Defined in N.J.A.C

	5:30-5.6 MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-139	Authorizing a Tax Refund Due to Overpayment MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-140	Authorizing a Tax Refund Due to Overpayment MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-141	Authorizing a Tax Refund Due to Overpayment MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-142	Authorizing a Tax Refund Due to Overpayment MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-143	A Resolution Appointing Members to the Board of Trustees of the Free Public Library of the Borough of Longport Pursuant to New Jersey Statutes Annotated Title 40 Section 54 Subsections 9 and 10 MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-144	A Resolution Authorizing the Disposal of Surplus Property MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-145	A Resolution Granting a Non-Exclusive Revocable License for an Encroachment on Borough Property or Right of Way MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-146	A Resolution Establishing the Borough Employee Holiday Schedule for Year 2022 MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-147	A Resolution of the Borough of Longport, County of Atlantic, State of New Jersey Setting the 2022 Board of Commissioners Meeting Schedule MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-148	Amendment of Longport Personnel Policy and Procedures Manual MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2021-149	Award of Contract for the 2021 Various Street Repairs to Ricky Slade Construction Inc. of Bridgeton, NJ MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.

**BILL LIST**

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

**FINANCIAL SUMMARY REPORT**

Commissioner Leeds, Commissioner of Revenue and Finance, 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.

**ADMINISTRATOR’S REPORT:**

Nothing further to report.

**SOLICITOR’S REPORT:**

Nothing further to report.

**ENGINEER’S REPORT:**

Nothing further to report.

**COMMISSIONERS REPORTS:**

**MAYOR RUSSO**

Mayor Russo commended all those involved in the success of the Wounded Warrior program. There was further discussion on this year’s Wounded Warrior and the many agencies involved.

**COMMISSIONER LEEDS**

Commissioner Leeds had nothing further to report.

**COMMISSIONER LAWLER**

Commissioner Lawler noted that at the previous Board of Commissioners meeting there was a presentation on a County Centralized Municipal Court system. He said that based on the presentation, he felt that joining the court system could save the Borough money. He suggested informing Margate that Longport is interested in the County’s proposal. Mayor Russo emphasized the need to have actual costs provided by the County. There was further discussion on this topic. Administrator Porter said that he would reach out to the City of Margate.

**PUBLIC COMMENT**

Bob English of 130 N. 32<sup>nd</sup> Avenue discussed the County proposal for a centralized court system. He said that it could be a good option for the Borough with significant cost savings. He also thought it could provide savings for the City of Margate, too. He added that if Margate was interested in the County system that Longport might be able to get out of its agreement at an earlier date if both municipalities opted to join.

**ADJOURNMENT**

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

Adjournment – 5:10 pm.