

**BOROUGH OF LONGPORT WORKSHOP COMMISSION MEETING  
MUNICIPAL BUILDING, 2305 ATLANTIC AVE  
LONGPORT, NJ 08403  
WEDNESDAY, FEBRUARY 15, 2023 – 4:00 PM**

The meeting was called to order at 4:02 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 Ocean City Sentinel on February 10, 2023. 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, Administrator Porter, Chief Culmone, CFO Kelly, Engineer Dennis, Library Director Gerhardt, and Municipal Clerk Kyle also present.

Mayor Russo stated the location of the emergency exits and discussed opportunities for public comment.

Presentation and Proclamation - Sgt. James F. Silva, III, upon his retirement after 21 years of service in the Longport Police Department.

Oath of Office - Patrol Officer Jonathan A. Saggese – Longport Police Department.

Oath of Office - Sgt. Shaune M. Slattery – Longport Police Department.

Commissioner Lawler made a motion for a five minute recess, seconded by Mayor Russo – All in Favor – Ayes, None Opposed. A recess took place from 4:15 to 4:21 pm.

Administrator Porter:

Administrator Porter said that the Borough would be ready to introduce the 2023 municipal budget at the March 15, 2023, Board of Commissioners meeting.

Borough Solicitor Affanato:

Borough Solicitor Affanato discussed Resolution 2023-21 regarding Planet Network's request to use the public right-of-way. He noted that he discussed this resolution with Alternate Borough Solicitor Agnellini. Based upon this discussion, Solicitor Affanato requested that this resolution be withdrawn for further investigation.

He also discussed the introduction of Ordinance 2023-05 and asked the Governing Body if any changes were needed regarding the daily beach tag and the fee to purchase one.

He also noted that he provided the Governing Body with a draft of changes to the Borough's rental code. He discussed time limitations regarding rentals. He noted that local realtors had requested either

a week or two-week rental minimum. There was further discussion on short-term rentals. Commissioner Leeds discussed the fees for rental inspections. Solicitor Affanato also discussed Certificate of Occupancy inspection fees for rentals. The Governing Body discussed the need to get a CO with each new rental. Commissioner Lawler noted that his wife, Suzy Lawler, is a local realtor. Based on this, Solicitor Affanato suggested he abstain from voting on the rental ordinance when presented. Solicitor Affanato also discussed the sale of homes and asked the Governing Body if the CO inspection should be part of the Code as it is currently being performed by the building department. Chief Clayton discussed the Uniform Fire Code inspections required and noted that it was something he could do. There was further discussion on this topic.

#### Borough Engineer Dennis:

Engineer Dennis reviewed several ongoing projects within the Borough. He discussed the ongoing road construction. He also noted that the water tower containment system was up and that exterior of the tower is being blasted. He noted that the project was on schedule for completion by the end of April. He discussed the new well house project. He said it should be ready for commissioning at the end of the month. He said the Borough would soon apply for a permit to operate. He noted that there was a resolution on the agenda to award the bid for construction of the new bulkhead at 36<sup>th</sup> Avenue and the bay. He also discussed three resolutions: including one to get work started on the tennis and basketball courts, work on the holding cells in the police department, and resurfacing the floors in the fire house. He also said that he met with Mr. Rutala to discuss potential grant opportunities. He discussed some of the grants currently available for utility work. Commissioner Leeds had several questions for the engineer. Solicitor Affanato addressed Commissioner Leeds' questions. Solicitor Affanato discussed the scaling/shedding of water pipes. He added that the Public Works is doing the best it can and is aware of the scaling situation.

Library Expansion Discussion – Longport Public Library Board of Trustees member Dolores Wilson discussed the library's interest in expanding to the second floor (including the area where the finance office is located) of Borough Hall. Ms. Wilson asked if the Governing Body would be interested in providing the library with this space. Mayor Russo also discussed the United States Post Office potentially occupying office space inside Borough Hall. There was further discussion on the library's proposal. Ms. Wilson noted that the cost to expand would be approximately \$1 million, adding that expanding into the second floor space nearest to the library was the most cost effective option. She further explained that the Borough would not be spending money on this project. She noted that the space would be used for library programs. She was asking if the employees currently in the second floor area could be relocated. Commissioner Lawler asked if there would still be a need for this extra space in 10 years. Ms. Wilson stated that there would be a need and that there was a need to have a dedicated space for library programs. Library Director Gerhardt discussed the amount of people participating in library programs. He noted a large increase over the years. Commissioner Lawler asked if the space on the second floor could accommodate the yoga classes. Library Director Gerhardt noted that it could. There was further discussion on the proposal. Mayor Russo suggested that library representatives meet to discuss the project with the Borough Engineer.

#### Mayor Russo:

Mayor Russo announced that March 7, 2023 was the kickoff event for the Borough's 125<sup>th</sup> Anniversary.

#### Commissioner Leeds:

Commissioner Leeds said he had some questions on the agenda.

Commissioner Lawler:

Commissioner Lawler – nothing further.

Municipal Clerk Kyle:

Municipal Clerk Kyle asked the Governing Body if it would be alright to hold the Beach Tag Design Contest award presentation at the June 21, 2023, Board of Commissioners meeting. The Governing Body was in agreement with this date.

Miscellaneous:

None.

**Motion to Adjourn** – Commissioner Leeds, seconded by Commissioner Lawler. All in Favor – Yes. None Opposed. Meeting adjourned at 5:04 pm.

**BOROUGH OF LONGPORT COMMISSION MEETING  
MUNICIPAL BUILDING, 2305 ATLANTIC AVE  
LONGPORT, NJ 08403  
WEDNESDAY, FEBRUARY 15, 2023**

The meeting was called to order with the flag salute at 5:05 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 Ocean City Sentinel on February 10, 2023. 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, Administrator Porter, Chief Culmone, Engineer Dennis, Library Director Gerhardt, and Municipal Clerk Kyle also present.

Emergency exits and public comment information provided by Mayor Russo.

Approval of Minutes:

Municipal Clerk Kyle requested a motion to approve the minutes from the January 18, 2023, Workshop and Regular Commission Meeting. Commissioner Leeds made a motion, seconded by Commissioner Lawler, to approve the minutes from the January 18, 2023, meeting. ALL AYES- none opposed.

**ORDINANCES – SECOND READING/ PUBLIC HEARING on Ordinance O2023-02 – An Ordinance Amending Part II Chapter 99-12**

There were no comments or questions from the public on Ordinance O2023-02.

**ORDINANCE:**

Number	Title
2023-02	An Ordinance Amending Part II Chapter 99-12
Purpose	The purpose of this ordinance is to amend Chapter 99-12 of the Code of the Borough of Longport to add the establishment of a development permit and to establish fees for permits issued in this section of the Code.
Motion	Motion – Mayor Russo, seconded by Commissioner Lawler to adopt Ordinance #O2023-02.
Roll Call Vote	Mayor Russo – YES. Commissioner Leeds – YES. Commissioner Lawler – YES. ALL AYES. None opposed.

**ORDINANCES – SECOND READING/ PUBLIC HEARING on Ordinance O2023-03 – An Ordinance Amending Part I Chapter 31-31**

There were no comments or questions from the public on Ordinance O2023-03.

**ORDINANCE:**

Number	Title
2023-03	An Ordinance Amending Part I Chapter 31-31
Purpose	The purpose of this ordinance is to amend part I of Chapter 31-31 to change the language from '32 hours per week' to 'an average of 32 hours per week' for the Municipal Administrator.
Motion	Motion – Commissioner Lawler, seconded by Mayor Russo to adopt Ordinance #O2023-03.
Roll Call Vote	Mayor Russo – YES. Commissioner Leeds – YES. Commissioner Lawler – YES. ALL AYES. None opposed.

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

**First Reading/ Introduction of Ordinances O2023-04 – An Ordinance Amending Chapter 161 – Vehicles and Traffic of the Code of the Borough of Longport, Atlantic County, NJ, as it Pertains to Handicapped Parking and Ordinance O2023-05 – An Ordinance Amending Article I Chapter 61-2 Beach Fees.** *A second reading and public hearing will be held at the March 15, 2023, Regular Commission Meeting that will follow the 4 pm workshop meeting.*

**ORDINANCE:**

Number	Title
2023-04	An Ordinance Amending Chapter 161 – Vehicles and Traffic of the Code of the Borough of Longport, Atlantic County, NJ, as it Pertains to Handicapped Parking
Purpose	The purpose of this ordinance is to amend Chapter 161 by removing the handicapped parking space at 135 North Woodcrest Avenue from Section 14:1: Schedule 2A Handicapped Parking.
Motion	Motion – Commissioner Leeds, seconded by Commissioner Lawler to Introduce Ordinance #O2023-04.
All in Favor	ALL AYES. None opposed.

**First Reading/ Introduction of Ordinance O2023-05 – An Ordinance Amending Article I Chapter 61-2 – Beach Fees.** *A second reading and public hearing will be held at the March 15, 2023, Regular Commission Meeting that will follow the 4 pm workshop meeting.*

**ORDINANCE:**

Number	Title
2023-05	An Ordinance Amending Article I Chapter 61-2 – Beach Fees
Purpose	The purpose of this ordinance is to amend beach fees to increase fees for the regular seasonal beach tag, to increase the fee for weekly tags, and to add a fee for a daily beach tag.
Motion	Motion – Commissioner Lawler, seconded by Mayor Russo to Introduce Ordinance #O2023-05.
All in Favor	ALL AYES. None opposed.

A motion was made by Mayor Russo, seconded by Commissioner Lawler, to Withdraw Resolution 2023-21 – Resolution of the Borough of Longport Authorizing the Use of the Public Rights-of-Way by Planet Networks, Inc. and to remove Resolution 2023-29 from the Consent Agenda. All Ayes – None Opposed. Resolution 2023-29 had a separate roll call vote.

Public Comment or questions on listed resolutions:

There were no comments from the public.

Commissioner Leeds had several questions regarding Resolution 2023-29 and the installation of an electric vehicle charging station. He discussed safety concerns and any fees associated with the charging station. Administrator Porter addressed Commissioner Leeds’ questions. Administrator Porter discussed two grants that would help offset installation fees for the charging station. He also discussed how fees would be implemented. Mayor Russo explained how the fees are charged. He explained that the transaction would not be done through the Borough, but added that the Borough would receive a percentage of what is being charged. Commissioner Leeds also discussed the contract and the costs involved. He expressed concern about the Borough spending a lot of money on the station and the safety of the station.

Commissioner Leeds asked if the bulkhead work included a return. Engineer Dennis said that it did. Commissioner Leeds asked if the return was costing the Borough more money than if the adjacent owner was completing their portion of the bulkhead. Engineer Dennis said it was a typical cost for a return and that it could stand on its own if the adjacent owner did not repair his section of the bulkhead.

Commissioner Leeds also asked if the pickleball courts were being included in the resurfacing project. It was noted that they would be included. Commissioner Leeds also asked about a schedule for the project. Engineer Dennis said he hoped to have an award for the project at the next meeting. Commissioner Leeds also asked about the firehouse floor resurfacing. He was concerned about the completion of the project. He explained that the flooring had to be completed by July 4<sup>th</sup> for the fire department’s open house event.

**RESOLUTIONS – CONSENT AGENDA (R2023-19 through R2023-34):**

Number	Title
2023-19	Establishment of an Emergency ‘No Parking’ Area South Side of Atlantic Avenue from the Margate City Line to the South Easterly Corner of 24 <sup>th</sup> Avenue; also on

	<p>the North Side of Atlantic Avenue from the Westerly Side of 35<sup>th</sup> Avenue to the Easterly Side of 33<sup>rd</sup> Avenue  MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2023-20	<p>Governing Body Certification of Compliance with the United States Equal Employment 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 – RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2023-21*	<p>Resolution of the Borough of Longport Authorizing the Use of Public Rights-of-Way by Planet Networks, Inc.  *MOTION to <u>WITHDRAW</u>– RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2023-22	<p>Authorizing Execution of Shared Services Agreement Rider with the Atlantic County Utilities Authority for Solid Waste, Bulky Waste, and Recycling Collection Services  MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2023-23	<p>A Resolution Authorizing Payment of Accumulated Sick, Kelly and Comp Time  MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2023-24	<p>A Resolution Appointing a Full Time Officer for the Longport Police Department  MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2023-25	<p>A Resolution Authorizing the Promotion of Shaune M. Slattery to Sergeant in the Borough of Longport Police Department  MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2023-26	<p>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 – RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2023-27	<p>A Resolution Memorializing the Promotion of Quinton Wright to Sergeant in the Borough of Longport Police Department  MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
2023-28	<p>Award of Contract for the 36<sup>th</sup> Avenue &amp; Bay Bulkhead Improvements to Walters Marine Construction Inc., of Ocean View, NJ  MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.</p>
*2023-29	<p>Authorizing Work to Calvi Electric Co. of Atlantic City, NJ, for Install of Electric Vehicle Charging Station  MOTION – RUSSO, SECOND- LAWLER, ROLL CALL VOTE: RUSSO – YES, LEEDS – NO, LAWLER – YES. TWO AYES - ONE OPPOSED. *Not included in Consent Agenda</p>

2023-30	Authorizing Emergency Work to Municipal Maintenance Co. of Cinnaminson, NJ, to Supply and Install New Pump at 33 <sup>rd</sup> Avenue Pump Station MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-31	Authorizing Non Fair and Open Professional Services Contract with Remington & Vernick Engineers of Pleasantville, NJ, for Professional Engineering Services for Tennis and Basketball Court Upgrades MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-32	Authorizing Non Fair and Open Professional Services Contract with Remington & Vernick Engineers of Pleasantville, NJ, for Professional Engineering Services for Police Department Holding Cell Upgrades MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-33	Authorizing Non Fair and Open Professional Services Contract with Remington & Vernick Engineers of Pleasantville, NJ, for Professional Engineering Services for Firehouse Floor Resurfacing MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-34	LEAP Challenge Grant MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.

**BILL LIST**

Commissioner Leeds 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 asked if there were any questions on the Financial Summary Report. There were none. MOTION – LEEDS, SECOND – RUSSO. 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 – nothing further to report.

**COMMISSIONER LEEDS**

Commissioner Leeds - nothing further to report.

**COMMISSIONER LAWLER**

Commissioner Lawler – nothing further to report.



### **PUBLIC COMMENT**

Bob English of 130 N. 32<sup>nd</sup> Avenue asked if homeowners could build on the Borough's seawall. Zoning Officer noted that building on the seawall it is not permitted.

Mr. English also discussed several whales washing up on nearby beaches. He noted that he is personally in favor of wind energy. He explained that several towns and officials are requesting a pause in the development of the offshore wind project. He said he thought it would be a good idea for Longport's Governing Body to go on the record regarding its position on the offshore wind project.

Mr. English also discussed the speed signs that are currently not in use and requested that they be put to use and suggested locations at Winchester Avenue and/ or coming off the Longport bridge.

He also asked if the Borough performing additional work as part of a CO inspection is a liability for the Borough. Solicitor Affanato addressed his question and said that it was not.

Bruce Funk of 102 S. 19<sup>th</sup> Avenue discussed the Planet Network resolution that was withdrawn. He discussed excess cable located in front of his home and throughout the Borough. He asked if the older cable could be removed before allowing additional cable to be installed. Solicitor Affanato explained why the resolution was withdrawn, including that the Borough would like assurances that old cables would be removed, among other concerns/ requests.

### **ADJOURNMENT**

MOTION – COMMISSIONER LAWLER, SECOND – COMMISSIONER LEEDS. All AYES- none opposed.  
Adjournment – 5:30 pm.