

**BOROUGH OF LONGPORT WORKSHOP COMMISSION MEETING
MUNICIPAL BUILDING, 2305 ATLANTIC AVE
LONGPORT, NJ 08403
WEDNESDAY, MAY 17, 2023 – 4:00 PM**

The meeting was called to order at 4:00 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, The Ocean City Sentinel, the Star Ledger, and Courier Post on May 12, 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, Sgt. Rettino, CFO Kelly, Engineer Dennis, Sgt. Burgan, Auditor Garcia, Library Director Gerhardt, and Municipal Clerk Kyle also present. (Zoning Officer Funk and Fire Chief Clayton attended after roll call).

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

Administrator Porter:

Administrator Porter noted that the Borough is undertaking preparations for the summer season. He explained that the police department is finalizing its hiring of seasonal employees. He said the beach patrol and recreation departments are also gearing up for the summer.

Administrator Porter said that the 125th Anniversary Committee has met and is preparing for a Town Party event on July 22nd from 6 to 10 pm. He commended the volunteers on their hard work.

He also said that work on the electric vehicle charging station has begun and that there is an ordinance on the regular meeting agenda for introduction that would provide rules and regulations for the new EV charging station. Commissioner Leeds questioned if the station was being installed behind Borough Hall. It was noted that it would be. He added that he hoped the charging station would be up and running by the end of June.

Borough Solicitor Affanato:

Borough Solicitor Affanato noted that there are a number of ordinances on the regular meeting agenda for a second reading and public hearing. He noted that local restaurants were requesting permission to install a tent for outdoor dining. He explained that if the Governing Body wanted to permit the tents it would have to adopt a resolution. Administrator Porter noted that a resolution had been prepared for this purpose.

Borough Engineer Dennis:

Engineer Dennis provided an update regarding several construction projects in the Borough. He said that there was some corrective concrete work on Monmouth Avenue. He explained that the Water Tower

project was completed. He said that the engineering firm handling the Well #4 project had submitted a 'permit to operate' to the New Jersey Department of Environmental Protection. He provided a summary of what steps would follow prior to getting Well #4 online. He explained that once Well #4 was fully operational and was issued a 'permit to operate' that Well #2 could then be decommissioned. He added that the bulkhead project at 36th Avenue was completed.

Engineer Dennis said that the tennis and pickle ball courts were being worked on and he hoped that they would be completed by the end of the week. Commissioner Lawler had several questions regarding the netting and permanent posts for pickle ball. Engineer Dennis explained that the posts were in.

Engineer Dennis said that bids would be going out for the resurfacing of the fire house floors and that he hoped to have the work completed by mid July. Commissioner Leeds expressed concern with the completion time frame as the fire house holds an open house on July 4th and hoped that the floors could be finished in time for the event. Engineer Dennis noted that it is possible that it could be ready in time.

Engineer Dennis provided an update on the Atlantic Avenue road reconstruction project. He thanked the residents and local business owners for their patience and cooperation. He noted that there are two possible scenarios regarding the completion of this project. He noted one would be to pave the roads before July 4th or the second would be to wait until September/ October and allow settling to occur to help eliminate depressions in the street. The consensus was to hold off on the milling and paving until after the summer season. Commissioner Leeds noted that new lines would have to be painted since there was no longer angled parking in front of the business district area. It was noted that temporary lines had been painted and web notifications had been issued. Commissioner Lawler asked if any other areas needed temporary markings. Engineer Dennis addressed his concerns.

There was discussion regarding a need to open up additional parking in the area. Engineer Dennis discussed making a section of 24th Avenue (from Oberon to Atlantic) one way towards the ocean to accommodate more parking on the street. There was further discussion if this change would have a traffic impact other areas. It was noted that changing a portion of 24th Avenue to one-way would add approximately four parking spaces.

Mayor Russo discussed a need for designated employee parking spaces, including emergency services, especially during the summer season. He noted that it can be difficult for employees to find parking at times. There was further discussion on this topic.

Commissioner Leeds questioned with the new well work and the decommissioning of Well #2 if the water capacity would be sufficient for the summer season. Engineer Dennis explained that it would be.

Mayor Russo discussed getting additional lighting for the water tower. Engineer Dennis said that one light is not working and that public works is looking into fixing it.

Mayor Russo:

Mayor Russo requested an update for the 125th Committee Anniversary meeting. Municipal Clerk Kyle provided a brief update.

Commissioner Leeds:

Commissioner Leeds discussed the electric vehicle charging ordinance that was on the agenda for a first reading/introduction. He wanted to be sure that the ordinance did not allow a private individual to

install a charger in front of their home in the street. Solicitor Affanato explained that the ordinance did not permit that. Commissioner Leeds also asked if the Governing Body was interested in supporting proposed ATV legislation.

Commissioner Lawler:

Commissioner Lawler asked if there was still a gazebo at 36th Avenue. It was noted that the gazebo is no longer there as it was badly deteriorated. There was discussion regarding traffic calming measures in the area, including raised crosswalks. Engineer Dennis explained that there is a resolution on the agenda for consideration and that CFO Kelly was confirming with the Atlantic County Improvement Authority for CDBG funding for the project.

Municipal Clerk Kyle:

Municipal Clerk Kyle noted that the date of the Beach Tag Design contest award has been changed to July 7th meeting. She also questioned what time the Governing Body would like to hold the yard sale.

Miscellaneous:

None.

Motion to Adjourn – Commissioner Leeds, seconded by Commissioner Lawler. All in Favor – Yes. None Opposed. Meeting adjourned at 4:25 pm.

**BOROUGH OF LONGPORT COMMISSION MEETING
MUNICIPAL BUILDING, 2305 ATLANTIC AVE
LONGPORT, NJ 08403
WEDNESDAY, MAY 17, 2023**

The meeting was called to order with the flag salute at 4:25 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, The Ocean City Sentinel, the Star Ledger and Courier Post on May 12, 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, Sgt. Rettino, CFO Kelly, Engineer Dennis, Sgt. Burgan, Auditor Garcia, Library Director Gerhardt, Zoning Officer Funk, 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 April 19, 2023, Workshop and Regular Commission Meeting. Commissioner Leeds made a motion, seconded by Commissioner Lawler, to approve the minutes from the April 19, 2023, meeting. All in Favor - ALL AYES. None opposed.

ORDINANCES – SECOND READING/ PUBLIC HEARING on **Ordinance O2023-10** – Ordinance to Exceed Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14)

There were no comments or questions from the public on Ordinance O2023-10.

ORDINANCE:

Number	Title
2023-10	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 to exceed municipal budget appropriation limits and to establish a CAP bank and per regulations in N.J.S.A. 40A:4-45.14.
Motion	Motion – Commissioner Leeds, seconded by Commissioner Lawler to adopt Ordinance #O2023-10.
Roll Call Vote	Mayor Russo – YES. Commissioner Leeds – YES. Commissioner Lawler – YES. ALL AYES. None opposed.

ORDINANCES – SECOND READING/ PUBLIC HEARING on **Ordinance O2023-11** – An Ordinance Amending Part II Chapter 112-13

There were no comments or questions from the public on Ordinance O2023-11.

ORDINANCE:

Number	Title
2023-11	An Ordinance Amending Part II Chapter 112-13
Purpose	The purpose of this ordinance is to amending Part II of Chapter 112-13 Construction Sites to require a solid wood fence around the perimeter of a construction site.
Motion	Motion – Mayor Russo, seconded by Commissioner Lawler to adopt Ordinance #O2023-11.
Roll Call Vote	Mayor Russo – YES. Commissioner Leeds – YES. Commissioner Lawler – YES. ALL AYES. None opposed.

ORDINANCES – SECOND READING/ PUBLIC HEARING on **Ordinance O2023-12** – An Ordinance Amending Part 2 of Chapter 70

There were no comments or questions from the public on Ordinance O2023-12.

ORDINANCE:

Number	Title
2023-12	An Ordinance Amending Part 2 of Chapter 70
Purpose	The purpose of this ordinance is to amend Part 2 of Chapter 70 to include provisions regarding fire inspection requirements prior to the issuance of a certificate of land use compliance.
Motion	Motion – Commissioner Lawler, seconded by Mayor Russo to adopt Ordinance #O2023-12.
Roll Call Vote	Mayor Russo – YES. Commissioner Leeds – YES. Commissioner Lawler – YES. ALL AYES. None opposed.

ORDINANCES – SECOND READING/ PUBLIC HEARING on **Ordinance O2023-13** – An Ordinance by the Board of Commissioners of the Borough of Longport Amending the Borough of Longport’s Code of Ordinances to Repeal Chapter 99 Flood Damage Prevention Ordinance Sections 99-1 Through Sections 99-20; to Adopt a New Chapter 99 Sections 99-101 through Sections 99-1001; to Adopt Flood Hazard Maps; to Designate a Floodplain Administrator; and Providing for Severability and an Effective Date.

There were no comments or questions from the public on Ordinance O2023-13.

Solicitor Affanato noted that this ordinance had been previously presented to the Longport Planning and Zoning Board.

ORDINANCE:

Number	Title
2023-13	An Ordinance by the Board of Commissioners of the Borough of Longport Amending the Borough of Longport’s Code of Ordinances to Repeal Chapter 99 Flood Damage Prevention Ordinance Sections 99-1 Through Sections 99-20; to Adopt a New Chapter 99 Sections 99-101 through Sections 99-1001; to Adopt Flood Hazard Maps; to Designate a Floodplain Administrator; and Providing for Severability and an Effective Date.
Purpose	The purpose of this ordinance is to amend sections, and to repeal and add sections to the Borough of Longport’s Code Book Chapter 99 Flood Damage Prevention.
Motion	Motion – Commissioner Leeds, seconded by Mayor Russo to adopt Ordinance #O2023-13.
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 the following Ordinances: O2023-14 – A New Ordinance Article II Chapter 85 – An Ordinance Regarding Electric Vehicles and Service Equipment; Ordinance O2023-15 – An Ordinance Amending Part II Chapter 136 1-7; O2023-16 – An Ordinance Amending the Salaries, Wages and Compensation in Year 2023 for Seasonal Employees and Certain Temporary Employees. *A second reading and public hearing will be held at the June 7, 2023, Regular Commission Meeting that will follow the 4 pm workshop meeting.*

ORDINANCE:

Number	Title
2023-14	A New Ordinance Article II Chapter 85 – An Ordinance Regarding Electric Vehicles and Service Equipment
Purpose	The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State’s transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff

<p>Motion</p> <p>All in Favor</p>	<p>contaminants. The goals are to:</p> <ol style="list-style-type: none"> 1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public. 2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence. 3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees. 4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles. <p>Motion – Commissioner Lawler, seconded by Mayor Russo to Introduce Ordinance #O2023-14.</p> <p>ALL AYES. None opposed.</p>
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First Reading/ Introduction of Ordinance O2023-15 – An Ordinance Amending Part II Chapter 136 1-7.

A second reading and public hearing will be held at the June 7, 2023, Regular Commission Meeting that will follow the 4 pm workshop meeting.

ORDINANCE:

Number	Title
2023-15	An Ordinance Amending Part II Chapter 136 1-7
Purpose	The purpose of this ordinance is to amend rental registration and regulation guidelines and inspection fees.
Motion	Motion – Mayor Russo, seconded by Commissioner Lawler to Introduce Ordinance #O2023-15.
All in Favor	ALL AYES. None opposed.

First Reading/ Introduction of Ordinance O2023-16 – An Ordinance Amending the Salaries, Wages and Compensation in Year 2023 for Seasonal Employees and Certain Temporary Employees.

A second reading and public hearing will be held at the June 7, 2023, Regular Commission Meeting that will follow the 4 pm workshop meeting.

ORDINANCE:

Number	Title
2023-16	An Ordinance Amending the Salaries, Wages and Compensation in Year 2023 for Seasonal Employees and Certain Temporary Employees

Purpose	The purpose of this ordinance is to amend salaries, wages and compensation for year 2023 for seasonal and certain temporary employees.
Motion	Motion – Commissioner Lawler, seconded by Mayor Russo to Introduce Ordinance #O2023-16.
All in Favor	ALL AYES. None opposed.

Budget Presentation and Public Hearing by Michael Garcia, CPA, RMA, of Ford-Scott Associates:

Mr. Garcia noted that there is a municipal budget increase of 1.4 cents this year. He explained that this amounts to \$14 on \$100,000 of assessment or \$140 on \$1 million dollars assessed. He added that the budget is below the 3.5-percent CAP as well as below the Tax Levy CAP of 2 percent. He explained that the increase is approximately \$374,000 which includes salary and wage increases, contractual obligations, a large increase in health care costs and pension costs, as well as capital and debt service. He said there was a decrease of \$42,000.

Commissioner Leeds commended Auditor Garcia, CFO Kelly and Administrator Porter on a job well done regarding the budget. He noted that the increase was initially proposed at 5 or 6 cents, but it was brought down to 1.4 cents. He added that this year nearly all municipalities had an increase. Auditor Garcia noted that most towns are facing a 5 to 6-cent increase.

Public Comment or questions on listed resolution R 2023-62 – Authorizing the Budget to be Read by Title Only

There were no comments or questions from the public.

Commissioner Leeds made a motion to adopt **R2023-62**, seconded by Mayor Russo. All in Favor – All Ayes. None Opposed.

Public Comment or questions on listed resolution R 2023-63 – A Resolution Authorizing Adoption of the Municipal Budget Year 2023

There were no comments or questions from the public.

Commissioner Leeds made a motion to adopt **R2023-63**, seconded by Mayor Russo. Roll Call Vote: Mayor Russo – YES. Commissioner Leeds – YES. Commissioner Lawler – YES. ALL AYES. None opposed.

Public Comment or questions on listed resolutions: R2023-64 through R2023-75:

There were no questions or comments.

A motion was made by Mayor Russo, seconded by Commissioner Lawler, to adopt the Consent Agenda. All in Favor - All Ayes. None Opposed.

RESOLUTIONS – CONSENT AGENDA (R2023-64 through R2023-75):

Number	Title
2023-64	Resolution of the Borough of Longport, County of Atlantic, State of New Jersey, Authorizing the Appointment of Christopher Hackett as Tax Assessor MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-65	A Resolution Granting Covering of Borough Sidewalks for Outdoor Dining MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-66	Resolution of the Borough of Longport, County of Atlantic, State of New Jersey, Authorizing a Veteran’s Disability Tax Exemption Pursuant to N.J.S.A. 54:4-3.30 on Block 111, Lot 10 – 23 N. 35 th Avenue MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-67	Establishment of an Emergency ‘No Parking’ Area for the Repaving of Atlantic Avenue between 22 nd and 27 th Avenues MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-68	Authorizing a Water/Sewer Refund Due to Overpayment MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-69	Authorizing a Tax Refund Due to Overpayment MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-70	Supporting the Click It or Ticket Mobilization of May 22 – June 4, 2023 MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-71	Chapter 159 – Budget Insertion for NJ Click It or Ticket Grant MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-72	A Resolution Authorizing the Borough to Enter into an Agreement with Hutchinson for an HVAC Maintenance Agreement MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-73	Resolution Awarding Professional Service Contract – Municipal Advisor for Bond Anticipation Note Issue MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-74	Authorizing a Non-Fair and Open Professional Services Contract with Remington & Vernick Engineers of Pleasantville, NJ for Professional Engineering Services for Amherst Avenue Raised Crosswalks MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.
2023-75	Resolution of the Borough of Longport, County of Atlantic, State of New Jersey, Authorizing a Borough Wide Yard Sale MOTION – RUSSO, SECOND- LAWLER, All AYES- none opposed.

Solicitor Affanato recommending moving Resolution 2023-76 to after Public Comment. He noted that after Executive Session the only public comment would be on the Resolution 2023-77.

BILL LIST

Commissioner Leeds asked if there were any questions on the Bill List. There were none. MOTION – LEEDS, SECOND – RUSSO. 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 – 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 - nothing further to report.

COMMISSIONER LEEDS

Commissioner Leeds - nothing further to report.

COMMISSIONER LAWLER

Commissioner Lawler - nothing further to report.

PUBLIC COMMENT

Fran Kenny of Longport complimented the Borough on the bulkhead project at 36th Avenue. She also had questions regarding the raised crosswalks on Amherst Avenue. Engineer Dennis discussed potential raised crosswalks at 36th and 34th avenues.

Roy Law, President of the Longport Public Library Board of Trustees, discussed an opportunity for the Governing Body to join with the library to upgrade the audio system in Commission Chambers. Administrator Porter discussed a timeline for the upgrade as well as the potential relocation of the United States Postal Service into Borough Hall and how this might impact any decision with the library. There was further discussion on this topic. It was noted that the Borough’s costs would be approximately \$6,000 of the total \$18,000. The Governing Body was in agreement to move forward with the upgrade. Mayor Russo requested that Solicitor Affanato prepare a resolution for the next meeting.

Rick Ricciardi of Longport asked if the Governing Body would allow dogs on the beach during the summer time during the evening hours. There was further discussion to allow dogs from approximately 7 to 8:30 pm. Solicitor Affanato said he would prepare an ordinance for the Governing Body’s review.

Solicitor Affanato reminded attendees that addresses did not need to be provided for the record, just if you are a Longport resident or not.

Debbie Dombrowski of Longport had questions about the yard sale. It was noted that a resolution was on the regular meeting agenda and had been adopted. She asked the Mayor about signing the letter regarding a moratorium on the offshore wind farm project. Deputy Mayor Lawler said he would sign the letter. She announced a meeting being held in Margate that Longport was not included in. Ms. Dombrowski had further questions regarding if a special meeting would be held in the Borough regarding the offshore wind projects. Commissioner Lawler discussed steps he has taken to schedule a meeting and the response he received. Ms. Dombrowski expressed her concern regarding whale, dolphin and shark deaths. She also expressed concern that residents need to know what is being proposed in the project. She discussed the large area proposed for the wind farm, and how large the turbines are. She noted that people have knocked on her door opposing the wind farm. The Mayor noted that people have knocked on his door in favor of the project.

Rebecca Norman of Longport echoed Ms. Dombrowski's concerns also expressed her own concerns regarding the offshore wind farm project. She said that the turbines would be 1000 feet tall, the largest in the world. She said that they will make lots of noise that could be heard on the beach. She expressed concern regarding the impact it would have on ocean life, and the community. She expressed concern regarding how fast the project was moving. There was further discussion on this topic. Commissioner Leeds noted that he has expressed concern over the project at past meetings. Mayor Russo discussed a recent article on global warming and the need for alternative energy.

John Cortler of Longport expressed his support of adding additional evening hours for dog walking on the beach during the summer.

Patricia English of Longport thanked Commissioner Leeds and Commissioner Lawler for their steps towards trying to hold a meeting in Longport regarding the offshore wind farm projects. Commissioner Lawler also announced that there would be a meeting in Margate on Saturday regarding the offshore wind farm.

Suzy Lawler of Longport said she hoped the Governing Body would attend the Margate meeting on the offshore wind farm. She noted that she had a report that she could share with the Governing Body. She said that there are 200 wind turbines planned and that residents needed to know what was happening. She said that it will have a negative impact on historic sites. She also noted that Longport needed to make its voice heard with the Governor.

Bruce Funk of Longport suggested that due to the popularity of low speed vehicles that they should be permitted to park on beach blocks. He also voiced his support of evening hours on the beach for dogs. He also expressed that a meeting needs to be held regarding the offshore wind farm. He expressed concern regarding how tall the wind turbines are and how visible they would be. Commissioner Leeds expressed concern with dogs running loose without leashes.

Mayor Russo asked if there was any comment or questions regarding Resolution 2023-76 – To Authorize the Convening of a Closed (Executive) Session to Discuss an Appeal of the Denial of a Vendor Certificate.

There was none.

Mayor Russo made a motion to adopt **R2023-76 – To Authorize the Convening of a Closed (Executive) Session to Discuss an Appeal of the Denial of a Vendor Certificate**, seconded by Commissioner Leeds. All in Favor – All Ayes. None Opposed.

Convened for Executive Session: 5:18 pm
Return from Executive Session: 5:37 pm

Mayor Russo asked if there was any comment or questions regarding **Resolution 2023-76 – Approving the Award of a License to Conduct Beach Vending Pursuant to the Terms and Conditions of Licensure and the Sealed Bid Established by Resolution 2023-26**.

Solicitor Affanato discussed the reasons for going into Executive Session regarding an appeal to the Governing Body. He noted that the Governing Body reviewed a report and was ready to make a decision without hearing an appeal from the vendors.

There was no comment or questions on Resolution 2023-77.

Commissioner Lawler made a motion to adopt **R2023-77 – Approving the Award of a License to Conduct Beach Vending Pursuant to the Terms and Conditions of Licensure and the Sealed Bid Established by Resolution 2023-26**, seconded by Mayor Russo. Roll Call Vote: Mayor Russo – YES. Commissioner Leeds – YES. Commissioner Lawler – YES. ALL AYES. None opposed.

ADJOURNMENT

MOTION – COMMISSIONER LAWLER, SECOND – COMMISSIONER LEEDS. All AYES- none opposed.
Adjournment – 5:39 pm.