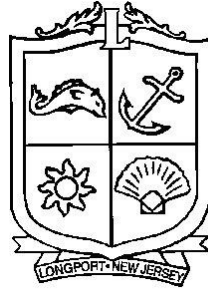


Posted: 5/14/2021

Revised:



**BOROUGH OF LONGPORT
COMMISSION WORKSHOP MEETING
May 19, 2021
4:00 pm**

This meeting was called pursuant to the provisions of the Open Public Meetings Law. Notices of this meeting were emailed to The Current and The Press of Atlantic City on May 14, 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.

This meeting will be held inside Commission Chambers and is open to the public. Face coverings will be required to enter Borough Hall and seating will be spaced to maintain 6 feet social distancing. Established guidelines for room capacity will be enforced in the event that the number of attendees exceeds permitted capacity. Capacity for members of the public is 30 persons.

The public is also invited to participate remotely by calling: **+1 (872) 240-3212** and entering the access code: **628-550-837**. Or you can join from your computer, tablet or smartphone with the following link: <https://global.gotomeeting.com/join/628550837>. If you do not have the GoToMeeting Application, please access it with the following link: <https://global.gotomeeting.com/install/628550837>. During the workshop meeting remote participants will be on mute and there is no opportunity for the public to speak. During the regular meeting phone participants will be on mute until the parts of the meeting designated for public comment as listed on the agenda. Remote members of the public will be asked to provide their name and address for the record. There will be a three minute public speaking limit. Those participating who exceed the limit or are found to be disruptive of meeting proceedings will have their microphone muted. Agendas will be made available online at www.longportnj.gov.

Members of the public that are attending remotely that wish to submit public comments and/or questions in advance of the meeting must provide that information by 12 noon the day preceding the Board of Commissioners Meeting. Comment/ questions must not exceed the three minute limitation when read aloud during the meeting. Duplicate questions will be addressed as one, and comments may be summarized. Comments and questions should be mailed, dropped off, or emailed to the Municipal Clerk at clerk@longport-nj.us.

All of the aforesaid complies with the Open Public Meetings Act N.J.S.A 10:4-6 et seq., as amended by A-3850, and in consideration of Executive Orders No. 103 and 107, issued by Governor Murphy on March 9 and 21, 2020, respectively declaring a State of Emergency and a Public Health Emergency in the State of New Jersey.

To Participate via Teleconference:

Dial-In Number: +1 (872) 240-3212

Access code: 628-550-837

Or with a Computer, Tablet or Smartphone:

Or you can join from your computer, tablet or smartphone with the following link:

<https://global.gotomeeting.com/join/628550837>

If you do not have the GoToMeeting Application, please access it with the following link:

<https://global.gotomeeting.com/install/628550837>

1. Meeting called to order/OPMA notice announced
2. Roll call taken
3. Mayor Russo – Emergency Exits
4. Municipal Administrator
5. Borough Solicitor
6. Engineer
7. Mayor Russo
8. Commissioner Leeds
9. Commissioner Lawler
10. Municipal Clerk
11. Miscellaneous
12. Adjournment

Posted: 5/14/2021

Revised:

THE FOLLOWING ITEMS ARE SCHEDULED FOR ACTION AT THE MAY 19, 2021 REGULAR COMMISSION MEETING:

**BOROUGH OF LONGPORT
COMMISSION MEETING AGENDA
MAY 19, 2021**

This meeting was called pursuant to the provisions of the Open Public Meetings Law. Notices of this meeting were emailed to The Current and The Press of Atlantic City on May 14, 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.

This meeting will be held inside Commission Chambers and is open to the public. Face coverings will be required to enter Borough Hall and seating will be spaced to maintain 6 feet social distancing. Established guidelines for room capacity will be enforced in the event that the number of attendees exceeds permitted capacity. Capacity for members of the public is 30 persons.

The public is also invited to participate remotely by calling: **+1 (872) 240-3212** and entering the access code: **628-550-837**. Or you can join from your computer, tablet or smartphone with the following link: <https://global.gotomeeting.com/join/628550837>. If you do not have the GoToMeeting Application, please access it with the following link: <https://global.gotomeeting.com/install/628550837>. During the workshop meeting remote participants will be on mute and there is no opportunity for the public to speak. During the regular meeting phone participants will be on mute until the parts of the meeting designated for public comment as listed on the agenda. Remote members of the public will be asked to provide their name and address for the record. There will be a three minute public speaking limit. Those participating who exceed the limit or are found to be disruptive of meeting proceedings will have their microphone muted. Agendas will be made available online at www.longportnj.gov.

Members of the public that are attending remotely that wish to submit public comments and/or questions in advance of the meeting must provide that information by 12 noon the day preceding the Board of Commissioners Meeting. Comment/ questions must not exceed the three minute limitation when read aloud during the meeting. Duplicate questions will be addressed as one, and comments may be summarized. Comments and questions should be mailed, dropped off, or emailed to the Municipal Clerk at clerk@longport-nj.us.

Official action will be taken at this meeting. All of the aforesaid complies with the Open Public Meetings Act N.J.S.A 10:4-6 et seq., as amended by A-3850, and in consideration of Executive Orders No. 103 and 107, issued by Governor Murphy on March 9 and 21, 2020, respectively declaring a State of Emergency and a Public Health Emergency in the State of New Jersey.

To Participate via Teleconference:

Dial-In Number: +1 (872) 240-3212

Access code: 628-550-837

Or with a Computer, Tablet or Smartphone:

Or you can join from your computer, tablet or smartphone with the following link:

<https://global.gotomeeting.com/join/628550837>

If you do not have the GoToMeeting Application, please access it with the following link:

<https://global.gotomeeting.com/install/628550837>

1. Flag Salute
2. Meeting called to order- OPMA notice announced
3. Roll Call
4. Mayor- Emergency exit announcement/Public Speaking time limit
5. Approval of Minutes- April 21, 2021, Workshop Meeting and Regular Commission Meeting; and the April 29, 2021 Special Commission Meeting. Minutes have been previously distributed for Commissioners' Review.
6. **ORDINANCES – First Reading/ Introduction. A second reading and public hearing will take place on June 2, 2021, following the 4 pm workshop meeting:**
 - **O2021-08** – An Ordinance by the Borough of Longport in Atlantic County, New Jersey Prohibiting the Operation of Any Class of Cannabis Businesses within its Geographical Boundaries and Amending Section 167 of the Borough of Longport Municipal Code
 - **O2021-09** – 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
 - **O2021-10** – An Ordinance Amending One-Way Streets in the Borough of Longport, County of Atlantic and State of New Jersey
 - **O2021-11** – An Ordinance Amending Stop Intersections in the Borough of Longport, County of Atlantic and State of New Jersey
7. **RESOLUTIONS**

Public Comment – Limited to 3 Minutes per Person, please state name and address.

 - **R2021-83** – To Authorize the Convening of a Closed (Executive) Session to Discuss Hyman v. Borough of Longport
8. **RESOLUTIONS - CONSENT AGENDA – Resolutions R2021-84 through R2021-95**
 - **R2021-84**– A Resolution Designating the Bathing Season Start and End for Required Beach Badges for Use of Beach

- **R2021-85** – A Resolution Granting Extended Use of Borough Sidewalks for Outdoor Dining
- **R2021-86** – A Resolution Granting a Non-Exclusive Revocable License for an Encroachment on Borough Property or Right of Way
- **R2021-87** – Award of Contract to Mumford-Bjorkman Associates, Inc., of New Castle, DE for the Inspection of Water Tower Located - 10 S. 31st Avenue
- **R2021-88** – A Resolution Authorizing Execution of Retainer Agreement with Kessler Topaz Meltzer & Check, LLP, to Pursue “Streaming Services Litigation” for Potential Violations of New Jersey Cable Television Act
- **R2021-89** – A Resolution Authorizing Payment of School Tax Levy to Longport Board of Education
- **R2021-90** – A Resolution Authorizing Execution of a Contract Between the Borough of Longport and the Borough Chief of Police *****WITHDRAWN FROM AGENDA*****
- **R2021-91** – Authorizing A Professional Services Contract with Remington & Vernick Engineers for the 2021 Maintenance of Municipal Taxing Maps and 2020 Annual Report and Certification of Municipal Stormwater Permit
- **R2021-92** – A Resolution Appointing SLEO II – Al Mariano
- **R2021-93** – A Resolution Appointing SLEO II – Matthew Long
- **R2021-94** – Supporting the Click It or Ticket Mobilization of May 24 – June 6, 2021
- **R2021-95** – A Resolution Amending Resolution 2020-95 Appointing Members of the Green Team Advisory Committee

9. Bill List/ Financial Summary Report

10. Municipal Administrator’s Report

11. Solicitor’s Report

12. Engineer’s Report

13. Commissioners’ Reports

14. Public Comment

15. Adjournment

**BOROUGH OF LONGPORT
COUNTY OF ATLANTIC
ORDINANCE 2021-08**

**AN ORDINANCE BY BOROUGH OF LONGPORT IN ATLANTIC COUNTY, NEW
JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS
BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING
SECTION 167 OF THE BOROUGH OF LONGPORT MUNICIPAL CODE**

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Governing Body of the Borough of Longport has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Borough of Longport in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of Longport’s residents and members of the public who visit, travel, or conduct business in Longport to amend Longport’s zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of The Borough of Longport and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act’s 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

NOW THEREFORE, BE IT ORDAINED, by the GOVERNING BODY of the BOROUGH OF LONGPORT, in ATLANTIC COUNTY, State of New Jersey, as follows:

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in The Borough of Longport, except for the delivery of cannabis items and related supplies by a delivery service.

2. Section 167-17(C) of the Borough of Longport Code is hereby amended by adding to the list of prohibited uses, the following: “All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service.”

3. Any article, section, paragraph, subsection, clause, or other provision of the Borough of Longport inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

5. This ordinance shall take effect upon its passage and publication and filing with the Planning Board, and as otherwise provided for by law.

Vote on First Reading/ Introduction: 5/19/2021

Publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 st Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
XX-indicates vote	NV-not voting	AB. – Absent				

Vote on Second Reading/Public Hearing 6/2/2021 Publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
X-indicates vote NV-not voting AB. - Absent						

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk's Office.

DATE OF ADOPTION: _____

/s/ Monica A. Kyle, RMC, MUNICIPAL CLERK

Signature page for Ordinance 2021-08

 Monica Kyle, RMC, CMR
 Municipal Clerk

 Mayor Nicholas Russo

 Commissioner James P. Leeds, Sr.

 Commissioner Daniel Lawler

**BOROUGH OF LONGPORT
COUNTY OF ATLANTIC**

**ORDINANCE 2021-09
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**

Preface

The purpose of this Ordinance is to correct, add, and delete certain designated handicapped parking spaces for improved disabled person access at various locations within the Borough.

BE IT ORDAINED BY THE COMMISSIONERS OF THE BOROUGH OF LONGPORT that:

SECTION 14.1: Schedule 2A: Handicapped Parking is being deleted and replaced with the following **Chapter 161-14.1 Schedule 2A Handicapped Parking:**

The following locations are hereby designated as restricted parking spaces for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles. No other person shall be permitted to park in these spaces:

Name of Street	Side	Location
16th Avenue	East	Beginning at a point 43 feet south of the southerly curblines of Atlantic Avenue and extending to a point 20 feet south thereof
16th Avenue	East	Beginning at a point 63 feet south of the southerly curblines of Atlantic Avenue and extending to a point 20 feet south thereof
18th Avenue	West	From a point 33 feet north of the northerly curblines of Beach Terrace and extending 25 feet to a point 58 feet northerly therefrom
20th Avenue	West	From a point 30 feet south of the southerly curblines of Atlantic Avenue and extending 25 feet to a point 55 feet southerly therefrom. Beginning at a point 55 feet south of the southerly curblines of Atlantic Avenue and extending 25 feet to a point 80 feet southerly therefrom.
28th Avenue	East	From a point 38 feet north of the northerly curblines of Ventnor Avenue and extending to a point 26 feet northerly therefrom. Then beginning at a point 64 feet north of the northerly curblines of Ventnor Avenue and extending to a point 26 feet northerly therefrom.
36 South 33rd Avenue	West	Beginning at a point 33 feet south of the southerly curblines of Pacific Avenue and extending to a point 25 feet south thereof
3300 Atlantic Avenue	South	Beginning at a point 397 feet west of the westerly curblines of 35th Avenue and extending to a point 21 feet west thereof. Beginning at a point 418 feet west of the westerly curblines of 35 th Avenue and extending to a point 20 feet west thereof.
3400 Atlantic Avenue	South	Beginning at a point 139 feet west of the westerly curblines of 35th Avenue and extending to point 21 feet west thereof.
32 North Evergreen Avenue	West	Beginning at a point 91 feet south of the southerly curblines of Winchester Avenue and extending to a point 26 feet south thereof

Name of Street	Side	Location
2900 Longport Drive	South	Beginning at a point 19 feet east of the easterly curblineline of 29th Avenue and extending to a point 20 feet east thereof
3104 Ventnor Avenue on Woodcrest Ave.	West	Beginning at a point 39 feet south of the southerly curblineline of Ventnor Avenue and extending to a point 23 feet south thereof
28 South Woodcrest Avenue	West	Beginning at a point 81 feet north of the northerly curblineline of Pacific Avenue and extending to a point 22 north thereof
121 North Woodcrest Avenue	East	Beginning at a point 207 feet south of the southerly curblineline of Monmouth Avenue and extending to a point 23 feet south thereof
135 North Woodcrest Avenue	East	Beginning at a point 77 feet south of the southerly curblineline of Monmouth Avenue and extending to a point 24 feet south thereof
Corner of South Woodcrest Avenue and Pacific Avenue	East	Beginning at a point 34 feet north of the northerly curblineline of Pacific Avenue and extending to a point 21 feet north thereof on Woodcrest Avenue
3 South Woodcrest Avenue	East	Beginning at a point 90 feet south of the southerly curblineline of Ventnor Avenue and extending to a point 20 feet south thereof
7 North Woodcrest Avenue	East	Beginning at a point 130 feet north of the northerly curblineline of Ventnor Avenue and extending to a point 23 feet north thereof
19 South Manor Avenue	East	Beginning at a point 107 feet north of the northerly curblineline of Atlantic Avenue and extending to a point 22 feet north thereof
2921 Pacific Avenue on Manor Avenue	West	Beginning at a point 38 feet north of the northerly curblineline of Pacific Avenue and extending to a point 20 feet north thereof
3218 Ventnor Avenue on 33 rd Avenue	West	Beginning at a point 33 feet south of the southerly curblineline of Ventnor Avenue and extending to a point 23 feet south thereof
14 North 34 th Avenue	West	Beginning at a point 194 feet south of the southerly curblineline of Winchester Avenue and extending to a point 23 feet south thereof
213 North 35 th Avenue	East	Beginning at a point 205 feet south of the southerly curblineline of Amherst Avenue and extending to a point 26 feet south thereof
10 North Evergreen Avenue	West	Beginning at a point 176 feet north of the northerly curblineline of Ventnor Avenue and extending to a point 20 feet north thereof

Section of Chapter 161-10 Violations and Penalties is to be amended to read as follows:

§ 161-10 Violations and Penalties. In addition to any other penalties herein provided, any person violating any of the provisions of this article shall, upon the conviction thereof by the Municipal Court, be punishable by a penalty of \$100 first offense; subsequent offenses to be \$100 minimum and/or up to 90 days' community service.

SECTION II: All other Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies, are hereby repealed. Should any section, subsection, clause, or portion of this Ordinance be adjudged by a Court of competent jurisdiction as invalid, such judgement shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION III: This Ordinance shall take effect immediately upon passage and publication as required by Law.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						
RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk's Office.

 /s/ MONICA A. KYLE, RMC
 MUNICIPAL CLERK

1ST READING: 5-19-2021
 PUBLICATION:
 2ND READING: 6-2-2021
 PUBLICATION:

 Mayor Nicholas M. Russo, Ed.D.

 Commissioner Daniel Lawler

 Commissioner James P. Leeds, Sr.

 Monica A. Kyle, RMC CMR
 Municipal Clerk

ORDINANCE #2021-10

**AN ORDINANCE AMENDING ONE-WAY STREETS IN THE
BOROUGH OF LONGPORT, COUNTY OF ATLANTIC AND
STATE OF NEW JERSEY**

BE IT ORDAINED by the Commissioners of the Borough of Longport, County of Atlantic and State of New Jersey as follows:

§ 161-15 Schedule 3: One-Way Streets. Is hereby amended to add the following:

<u>Name of Street</u>	<u>Direction</u>	<u>Limits</u>
Amherst Avenue	West	Margate City line to N 36 th Avenue

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 3: This ordinance shall take effect upon final adoption and publication and in the manner provided by law.

Vote on First Reading: 5/19/2021

publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 st Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
XX-indicates vote NV-not voting AB. - Absent						

Vote on Second Reading/Public Hearing: 6/2/2021

publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						

Leeds						
Lawler						
X-indicates vote	NV-not voting	AB. - Absent				

Borough of Longport

Ordinance 2021-10

Page -2-

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk's Office.

/s/ **MONICA A. KYLE, RMC, CMR**
MUNICIPAL CLERK

Monica A. Kyle

Nicholas M. Russo/Mayor

James P. Leeds, Sr/Commissioner

Daniel Lawler/ Commissioner

ORDINANCE #2021-11

**AN ORDINANCE AMENDING STOP INTERSECTIONS
IN THE BOROUGH OF LONGPORT, COUNTY OF ATLANTIC AND
STATE OF NEW JERSEY**

BE IT ORDAINED by the Commissioners of the Borough of Longport, County of Atlantic and State of New Jersey as follows:

§ 161-17 Schedule 5: Stop Intersections. Is hereby amended to add the following:

Intersection

Location of Sign

Amherst Avenue and North 33rd Ave

Amherst Avenue

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 3: This ordinance shall take effect upon final adoption and publication and in the manner provided by law.

Vote on First Reading: 5/19/2021

publication: _____

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 st Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
XX-indicates vote NV-not voting AB. - Absent						

Vote on Second Reading/Public Hearing: 6/2/2021

publication: _____

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						

Lawler						
X-indicates vote	NV-not voting	AB. - Absent				

Borough of Longport

Ordinance 2021-11

Page -2-

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk’s Office.

/s/ **MONICA A. KYLE, RMC, CMR**
MUNICIPAL CLERK

Monica A. Kyle

Nicholas M. Russo/Mayor

James P. Leeds, Sr/Commissioner

Daniel Lawler/ Commissioner

BOROUGH OF LONGPORT

Atlantic County - New Jersey

Resolution

2021-84

**A RESOLUTION DESIGNATING THE BATHING SEASON START AND END FOR
REQUIRED BEACH BADGES FOR USE OF BEACH**

WHEREAS, Borough Code Provision 61-3 states: "No person 12 years of age or over shall bathe at or otherwise use the beaches set forth in § 61-1 without having first acquired and then having in his or her possession a proper and effective badge, license or permit to use the beaches, which shall be worn conspicuously by such person during said use so that it shall be visible at all times and which shall be exhibited on demand to the Beach Inspector or other duly authorized representative of the Borough of Longport."

WHEREAS, The Governing Body of the Borough wishes to establish the start and end of the beach season for enforcement of Code Provision 61-3 as permitted by Code Provision 61-5(C).

WHEREAS, Borough Code Provision 61-3 authorizes enforcement of the beach badge requirement by a Beach Inspector or duly authorized representative of the Borough of Longport and The Governing Body of the Borough seeks to specifically to designate, sworn Police officers along with Beach Patrol members as "authorized representative of the Borough of Longport" for enforcement.

NOW, THEREFORE BE IT RESOLVED:

Beach badges as required by Code Provision 61-3 shall be required as of the Friday, before Memorial Day and extend until the Saturday after Labor Day. Sworn Police officers along with Beach Patrol members are designated as "authorized representative of the Borough of Longport" for enforcement of Code Provision 61-3.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF ADOPTION:

5/19/2021

Monica A. Kyle, RMC, Municipal Clerk

BOROUGH OF LONGPORT
Atlantic County - New Jersey
Resolution
2021-85

A Resolution Granting Extended Use of Borough Sidewalks for Outdoor Dining

WHEREAS, Due to the declared New Jersey State of Emergency and the Health State of Emergency in the effort to help stop the spread of the COVID-19 virus.

WHEREAS, Given the hardship the covid-19 epidemic has caused the two restaurants in the Borough and the desire of the Governing Body to provide safe but flexible dining options for said establishments.

WHEREAS, The COVID-19 health crisis is still a public emergency; however conditions are improving to the extent to permit, with the appropriate precautions, the re-opening of the Borough restaurants for outdoor dining.

WHEREAS, The COVID-19 health crisis and the Executive Orders of the Governor continue to limit the indoor seating capacity of the Borough restaurants.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Longport to grant extended use of the Borough sidewalk in front and next to the restaurants on Atlantic Avenue. This use is temporary and may be revoked anytime by the Borough Administrator. The Borough will provide a pedestrian walkway through the existing parking spaces in front of the establishments. This use is temporary and may be revoked at any time by the Borough Administrator. All outdoor seating must comply with the Governor's Executive Orders and spacing as provided by CDC guidelines. The restaurants may also put up temporary tents up on the sidewalk subject to the approval of the Chief of the Fire Department. This use is temporary and may be revoked at any time by the Borough Administrator.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF ADOPTION:
 5/19/2021

BOROUGH OF LONGPORT
Atlantic County - New Jersey
Resolution
2021-86

A RESOLUTION GRANTING A NON-EXCLUSIVE REVOCABLE LICENSE FOR AN ENCROACHMENT ON BOROUGH PROPERTY OR RIGHT OF WAY

WHEREAS, Bruce and Julie Funk (Licensee) are the owners of Lot 14, Block 14 known as 102 South 19th Ave. Longport, NJ (the "Licensee's Property").

WHEREAS, Licensee has requested permission to use and maintain a piece of the Borough right of way adjacent to the Licensee's property approximately 40 feet along 19th Avenue and 30 feet along Atlantic Avenue for a depth of approximately 18 inches of which is not currently utilized by the Borough. The Licensee will install a 3 foot high fence 50% open on the Borough right of way adjacent to Licensee's property.

WHEREAS, This is a Borough right of way which already appears to part of the Licensee's Property and the Governing Body sees no detriment to the Borough in granting this revocable license.

NOW, THEREFORE BE IT RESOLVED:

The Mayor and Clerk are authorized to execute and deliver a Revocable Non-Exclusive License and Hold Harmless Agreement to Licensee in conformity with agreement attached hereto.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF ADOPTION:

5-19-2021

BOROUGH OF LONGPORT
Atlantic County - New Jersey
Resolution 2021 - 87

AWARD OF CONTRACT TO
MUMFORD-BJORKMAN ASSOCIATES, INC.
OF NEW CASTLE, DE
FOR THE
INSPECTION OF WATER TOWER LOCATED
10 S. 31ST AVENUE

WHEREAS, the Borough of Longport has a 500,000 waterspheriod located in public works yard that requires maintenance;

WHEREAS, the exterior of water tower was last repainted in 2011 and the interior of the tower was last repainted in 2015;

WHEREAS, the exterior has visible rust spots and the Borough of Longport desires to know the condition of water tower;

WHEREAS, the Borough of Longport has a need for detailed inspection of to determine the condition of water tower and what maintenance will be needed;

WHEREAS, the Municipal Engineer received a proposal from Mumford-Bjorkman Associates, Inc. to perform needed inspection and make recommendations:

NOW, THEREFORE BE IT RESOLVED by the Longport Board of Commissioners that the recommendation of the Municipal Engineer is hereby accepted and that said Governing Body hereby awards a Contract to Mumford-Bjorkman Associates, Inc. of New Castle, Delaware for \$ 4,200.00; and

BE IT FURTHER RESOLVED that a Certificate of Available Funds has been issued by the Chief Financial Official and is attached to this Resolution as required by Law.

Adopted: 05/19/2021

RECORDED VOTE OF GOVERNING BODY						
Commissioner	Motion	Second	Aye	Nay	Not Voting	Absent
RUSSO						
LAWLER						
LEEDS						

Adoption: 5/19/2021

MONICA KYLE, RMC, MUNICIPAL CLERK

BOROUGH OF LONGPORT
Atlantic County - New Jersey
Resolution
2021-88

A Resolution Authorizing Execution of Retainer Agreement with Kessler Topaz Meltzer & Check, LLP, to Pursue “Streaming Services Litigation” for Potential Violations of New Jersey Cable Television Act

WHEREAS, The Governing Body of the Borough of Longport has been approach by the law firm of Kessler Topaz Meltzer & Check, LLP (“Kessler Topaz”) to serve legal counsel in connection with potential litigation against Netflix, Inc., Hulu, LLC, Disney DTC, LLC and potentially other entities for violations of New Jersey’s Cable Television Act (the “Streaming Services Litigation”).

WHEREAS, Kessler Topaz has advised the proposed theory of the litigation has been brought in other states with laws similar to New Jersey. In addition, Kessler Topaz has advised the Borough they have conducted a thorough investigation into the facts and circumstances concerning the alleged violations and believe the action to be meritorious.

WHEREAS, Kessler Topaz has committed in the retainer agreement to be executed that they will prosecute this proposed class action on a contingency fee basis. This means Kessler Topaz will not seek payment of any fees unless the lawsuit generates a recovery or benefit. In no event will Longport Borough be responsible for any fees, costs or expenses associated with this litigation. If there is no recovery or benefit achieved, Kessler Topaz will not seek to be paid. Finally, Kessler Topaz will be solely responsible for out-of-pocket expenses in this litigation.

WHEREAS, The Governing Body is of the opinion pursuing this litigation, with no cost to the Borough, is in the best interest of the taxpayers of the Borough.

NOW, THEREFORE BE IT RESOLVED:

The Mayor is hereby authorized to execute a retainer agreement with Kessler Topaz to permit them to pursue litigation pursuant to the terms of the agreement.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk’s Office.

DATE OF ADOPTION:

5/19/2021

 Monica A. Kyle, RMC, Municipal Clerk

**Borough of Longport
County of Atlantic
Resolution 2021-89
A RESOLUTION AUTHORIZING PAYMENT OF SCHOOL TAX
LEVY TO LONGPORT BOARD OF EDUCATION**

Whereas, the Board of Education requested payment of school moneys pursuant to N.J.S.A. 54:4-75; and,

Whereas, the Borough of Longport is obligated to pay over to the Board of Education as “custodian of school moneys”, the sum of money requested provided that the request is not for any more money at any one time than shall be required for the Board’s expenditures for a period of eight (8) weeks in advance, except if the request is;

1. For school startup moneys requested within 40 days after the beginning of the school year, but no more than 20% of the appropriations; or
2. For sufficient moneys to meet all interest and dept redemption charges maturing for the first 40 days of the school year; and

Whereas, the Borough of Longport is obligated to pay over school moneys within 30 days of the said Board’s request, provided the request does not exceed the amounts aforesaid.

Now Therefore Be It Further Resolved, in accordance with N.J.S.A. 54:4-75 of the New Jersey Statutes and Chapter 63 of P.L. 1991 which requires “any municipalities that levies school taxes on a school year basis, either pursuant to N.J.S.A. 18A:22-17 or N.J.S.A. 18A:22-34, et seq.” the Board of Commissioners of the Borough of Longport shall pay over to the Longport Board of education the sum of \$200,211.25 in eight equal installments for a total of \$1,601,690 due of the following dates:

August 10, 2021 and on the 1st of every month thereafter until April 2022;

Be It Further Resolved, that the proper officials and employees are hereby authorized to draw, execute and deliver a check or wire funds in said sums to the Board of Education.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified -0
True copy of the Original Resolution on file in the Municipal Clerk’s Office.

DATE OF ADOPTION: 05/19/2021

/s/ Monica A. Kyle, RMC, Municipal Clerk

BOROUGH OF LONGPORT
Atlantic County - New Jersey
Resolution 2021-91

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT
WITH REMINGTON & VERNICK ENGINEERS FOR THE
2021 MAINTENANCE OF MUNICIPAL TAXING MAPS AND 2020 ANNUAL REPORT AND
CERTIFICATION OF MUNICIPAL STORMWATER PERMIT**

WHEREAS, the Borough of Longport is in need of a Licensed Professional Surveying Firm to create a new digital tax map for the Borough of Longport and assistance with the Annual Report and Certification of the Municipal Stormwater Permit; and

WHEREAS, **Remington & Vernick** has previous performed the tax map maintenance and municipal stormwater reports in numerous other towns; and

WHEREAS, **Remington & Vernick** has submitted a Proposal dated October 29, 2020 for a fee of \$25,000.00 for creation of new digital tax maps and a Proposal dated April 14, 2021 for a fee of \$3,000.00 for the Municipal Stormwater report;

WHEREAS, **Remington & Vernick Engineers** has completed and submitted a Business Entity Disclosure Certification which certified that they have not made any reportable contributions to a political or candidate committee of the members of the Borough of Longport Commission in the previous one (1) year, and that the Contract will prohibit them from making any reportable contributions through the term of this Contract; and

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Longport that it hereby accepts and approve the Proposals from **Remington & Vernick** for the performance of digitizing the Borough of Longport tax maps and Report and Certification of Municipal Stormwater Permit and authorizes the Chief Financial Officer to issue a Purchase Order for such work under the direction of the Municipal Tax Assessor and Department of Public Works; and

BE IT FURTHER RESOLVED that a Notice of this Professional Services Resolution shall be published at least once in the Atlantic City Press pursuant to the requirements of Chapter 198 of the New Jersey Laws of 1971.

DO NOT USE SPACE BELOW THIS LINE							
RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE							
COMMISSIONERS	AYE	NAY	N.V.	AB.	MOTION	SECOND	
Russo							
Leeds							
Lawler							
X-Indicates Vote		NV-Not Voting		AB - Absent			

Adopted 05-19-21

I, Monica Kyle, Municipal Clerk of the Borough of Longport, Atlantic County, N.J., do hereby certify the forgoing to be a true and correct copy of a Resolution adopted by the Board of Commissioners of the Borough of Longport at a Meeting of said Board of Commissioners held on May 19, 2021 and that said Resolution was adopted by not less than a two-thirds vote of the members of the Longport Board of Commissioners

Monica A. Kyle, Municipal Clerk

**BOROUGH OF LONGPORT
RESOLUTION 2021-92
RESOLUTION APPOINTING SLEO II**

WHEREAS, the Borough of Longport has hired the service of a Special Law Enforcement Officer II (SLEO II)

WHEREAS, SLEO II Al Mariano has been appointed to a one year term effective May 15, 2021 to May 14, 2022; and

WHEREAS, SLEO II Mariano will be compensated according to O2021-04, as amended, entitled, ***“AN ORDINANCE AUTHORIZING THE SALARIES, WAGES AND COMPENSATION IN YEAR 2021 FOR EMPLOYEES NOT COVERED BY PREVIOUS ORDINANCE OR UNION CONTRACTS***

THEREFORE, BE IT RESOLVED that the aforementioned individual is hereby appointed SLEO II effective May 15, 2021.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE: 5/20/2020						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF ADOPTION: 05/19/2021

/s/ Monica A. Kyle, Municipal Clerk

BOROUGH OF LONGPORT

RESOLUTION 2021- 93

RESOLUTION APPOINTING SLEO II

WHEREAS, the Borough of Longport is in need of the service of a Special Law Enforcement Officer II (SLEO II)

WHEREAS, Matthew A. Long is qualified to serve as a SLEO II; and

WHEREAS, SLEO II Long will be compensated according to O2021-04 entitled, ***“AN ORDINANCE AUTHORIZING THE SALARIES, WAGES AND COMPENSATION IN YEAR 2021 FOR EMPLOYEES NOT COVERED BY PREVIOUS ORDINANCE OR UNION CONTRACTS***

THEREFORE, BE IT RESOLVED that the aforementioned individual is hereby appointed a SLEO II for a one-year term effective April 17, 2021.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE: 5/20/2020						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						

X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk’s Office.

DATE OF ADOPTION: 5-19-2021

/s/ MONICA A. KYLE, RMC

**Borough of Longport
County of Atlantic
State of New Jersey**

**Resolution 2021-94
Supporting the *Click It or Ticket* Mobilization
of May 24 – June 6, 2021**

Whereas, there were 585 motor vehicle fatalities in New Jersey in 2020; and

Whereas, approximately 40% of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 24 – June 6, 2021 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 90.23% to 93%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways;

Therefore, be it resolved that Board of Commissioners of the Borough of Longport declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 24 – June 6, 2021 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

DO NOT USE SPACE BELOW THIS LINE							
RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE							
COMMISSIONERS	AYE	NAY	N.V.	AB.	MOTION	SECOND	
Russo							

Leeds							
Lawler							
X-Indicates Vote NV-Not Voting AB - Absent							

Adopted 05-19-21

I, Monica Kyle, Municipal Clerk of the Borough of Longport, Atlantic County, N.J., do hereby certify the forgoing to be a true and correct copy of a Resolution adopted by the Board of Commissioners of the Borough of Longport at a Meeting of said Board of Commissioners held on May 19, 2021 and that said Resolution was adopted by not less than a two-thirds vote of the members of the Longport Board of Commissioners

Monica A. Kyle, Mun

BOROUGH OF LONGPORT

Resolution # 2021-95

A Resolution Amending Resolution 2020-95 Appointing Members of the Green Team Advisory Committee

WHEREAS the Borough of Longport works toward balancing its economic, social and environmental goals to assure community sustainability; and,

WHEREAS on May 6, 2009, the Borough Commission adopted resolution #2009-52 “Supporting Participation in the Sustainable Jersey Municipal Certification Program” and authorizing the Public Works Supervisor “to serve as Longport’s agent for the Sustainable Jersey Municipal Certification Process,” and

WHEREAS in order to aid in achieving State Recertification, the Green Team needs to be officially recognized and authorized to advise the Borough on ways to improve municipal operations with “Green” initiatives, which are economically and environmentally sound through research and evaluation and the initial term of the Green Team Advisory Committee expired on December 31, 2019, and

WHEREAS, Green Team membership needs to be amended to add/ remove members based on interest and availability,

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Longport that a “Green Team Advisory Committee” continue consisting of residents, local environmental agency representatives, and employees of Borough of Longport whose term shall terminate on August 4, 2022; and,

BE IT FURTHER RESOLVED THAT the members of the Longport Green Team are as follows:

- James P. Leeds Sr., Longport Borough Commissioner
- Bruce Funk, Longport Zoning Official
- Thomas Subranni, Esq., Longport Resident
- Suzy Lawler, Longport Resident
- Connie Pappas, Longport Resident
- Cynthia Meli, Longport Resident
- Ellen Sall, Longport Resident
- Debbie Frank, Longport Resident
- Marcia Walsh, Longport Resident
- Ben Kirshner, Longport Resident
- Lisa Stern, Longport Resident
- John Piotrowski, Longport Resident
- Barbra Piotrowski, Longport Resident
- Michele Hansberry, Longport Resident
- Monica Coffey, Sustainable Downbeach
- Alexis Browsh

	Motion	Second	Yes	Nay	Abstain	Absent
Russo						
Leeds						
Lawler						

Date: May 19, 2021

Certified by _____
Monica A. Kyle, Municipal Clerk

**Longport Borough Financial Report
Current and Utility Fund-Summary Only**

April-21

(Misc. revenues and manual checks may not be included. Figures may not have been reconciled to bank or financial reports as of the reading date of this report. The previous monthly bank statements are reconciled and on file in the Finance Office)

Current Fund		
Beginning Balance	3/31/2021	\$7,111,153.19
Revenues		
Taxes		2,070,892.07
Fees and Permits		1,200.00
Construction Fees		22,921.00
Beach Fees		21,065.00
Municipal Court		3,272.68
Interest on Investments		1,458.99
Miscellaneous		9,576.77
State Aid/Grants		33,980.51
Other - JIF Refund/Comcast/Ice Cream		28,100.00
Library		0.00
Reimbursements to Budget Accounts		0.00
Total Revenues	4/30/2021	\$2,192,467.02
Disbursements		
Checks/payroll/debt/ due to capital/grants		\$1,642,292.97
Transfer to Water & Sewer		
Total Disbursements	4/30/2021	\$1,642,292.97
Ending Balance	4/30/2021	\$7,661,327.24

Utility Fund		
Beginning Balance	3/31/2021	\$2,839,703.44
Revenues		
Water/Sewer Rents		\$26,159.15
Interest		579.18
Miscellaneous		5,200.00
Transfers from Current		0.00
Total Revenues	4/30/2021	\$31,938.33
Disbursements		
Checks/Payroll/Debt		\$339,451.62
Total Disbursements	4/30/2021	\$339,451.62
Ending Balance	4/30/2021	\$2,532,190.15