

**BOROUGH OF LONGPORT WORKSHOP COMMISSION MEETING
MUNICIPAL BUILDING, 2305 ATLANTIC AVE
LONGPORT, NJ 08403
WEDNESDAY, SEPTEMBER 22, 2021 – 9:00 AM**

The meeting was called to order.

Municipal Clerk Kyle read the Opening Statement pursuant to the Open Public Meetings Act. A notice of this meeting was emailed to the Press of Atlantic City and the Current on September 17, 2021. In addition, copies of notices were posted on the bulletin board and filed in the office of the municipal clerk. Notices on the bulletin board have remained continuously posted.

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

Borough Solicitor Affanato, CFO Kelly, Administrator Porter, Chief Culmone, Engineer Dennis, CRS Coordinator Funk, Library Director Gerhardt, and Municipal Clerk Kyle also present.

Municipal Clerk Kyle stated the location of emergency exits and explained that public comment is not permitted during workshop meetings. She added that there are several opportunities for public comment at the regular commission meeting, which immediately follows the workshop meeting.

Representatives from the County of Atlantic were in attendance and were given permission to provide a presentation during the workshop meeting on a County provided municipal court system.

Solicitor Affanato requested that the Municipal Clerk amend the Workshop Meeting Agenda to add the County's presentation.

Atlantic County Counsel Jim Ferguson and retired Superior Court Judge Mark Sandson discussed a proposal for a County-wide municipal court system. Mr. Ferguson provided background information on the project's origins, the stakeholders involved, and the steps taken to develop a draft agreement. He further explained that joining the court system would involve a tri-part agreement that would include the County of Atlantic County, New Jersey Courts, and the municipality. He said that the location of the court would be at the former County criminal court house located in Mays Landing. He said that the space there would accommodate court room proceedings, administrative offices, a room for the judge's chamber, as well as work areas for the prosecutor and public defender. He explained that the municipality would not be billed for this space in the building. He added that the County would also provide court security measures and personnel. He explained that the County would be installing a recording system for court proceedings and would also provide related logistical support. He reviewed how participating municipalities would have a stake in the central court system including the ability to help formulate its budget. He said that there would be two standing committees that municipalities could partake in. One would be a governance committee (five members with three permanent) and that the role of this committee would be budgetary. The second committee is a personnel committee (also five members with three permanent) that would be involved in hiring court personnel. He said that this committee has already started the interview process for hiring judges and other court staff. He further explained the hiring selection process for court employees and the appointment of judges. He explained

that the court system needs to be operational by January 2022. He said that if Longport joined the County court system and based on a 10-member model that it would save approximately \$210,000 a year in court operating costs. He also explained that municipal police officers or code enforcement personnel would attend court proceedings virtually with a few exceptions. He added that attending virtually would also save municipalities money.

Mr. Ferguson then turned the presentation over to Mr. Sandson who discussed some of the social benefits the Borough could gain by joining this court. He explained how a County court system could provide more resources and assistance to those who could benefit by them by having a centralized system where all resources could be available instead of having representatives at each municipal court located throughout the State. He discussed the current costs involved in running the municipal courts and how consolidation of those courts would greatly reduce costs. He felt that a County run court system made sense for Atlantic County municipalities.

Solicitor Affanato questioned what would be the municipality's time commitment to the County. Mr. Ferguson said it is a two year membership commitment. He explained that if a municipality wished to withdraw, it would be able to do so after the two full years, providing that it give six months of notice in advance and include with it an adopted resolution stating the municipality's intent to withdraw from the County court system. Commissioner Leeds asked if the Borough would be responsible for any other costs at the time of withdrawal similar to when the Borough withdrew from the County library system.

Solicitor Affanato requested additional information pertaining to municipal representation in the two standing committees. Mr. Ferguson explained how municipalities would be represented in the system. Solicitor Affanato also asked about the development of the budget. Mr. Ferguson and Mr. Sandson addressed his question by explaining that County Executive Levinson and Judge Menendez would have final say on the budget.

There was also discussion on how State summonses, such as those issued by the NJ State Police, NJ Department of Environmental Protection or the County public health department, will be remanded to the central county court system to be heard and not at the municipal level.

There was further discussion on a County court system and if virtual court would continue after COVID-19 concerns have ended. Mr. Ferguson believed that the virtual court system would continue. Commissioner Leeds asked if the County could provide an exact cost for the Borough. Mr. Ferguson explained that the County could not provide an exact cost as it depends on the number of municipalities that agree to join. He added that the cost would most likely be a little more than what is currently being projected, but he said it would be significantly less than what the Borough is currently paying Margate. Solicitor Affanato noted that the County's projected savings for Longport did not factor in Longport's consolidation with the City of Margate and the savings involved in that agreement.

Commissioner Leeds had several questions about the court facilities and services provided.

Commissioner Lawler asked what might be some of the cons for the Borough if it should decide to join the County court system. Mr. Ferguson explained that the Borough would most likely lose its ability to appointment certain court employees such as the judge, prosecutor and public defender. There was also discussion on installation of kiosks in Borough Hall or the library for virtual court if the Borough was interested in this option.

Administrator Porter:

Administrator Porter provided an update on the municipal budget stating that everything is on target for this year. He said that the Beach Patrol is winding up for the season and that this is the last weekend that beaches will be protected. He also announced that the Borough's social luncheons program would resume beginning October 12th and that the Longport Public Library would be the contact agency. He also said he is working on street repairs for the fall.

Borough Solicitor Affanato:

Solicitor Affanato provided an update regarding individuals who were interested in developing the area between 15th and 16th avenues (along the bulkhead) as a park area. He explained that they would be creating an entity that would be primarily responsible for funding the development of the park. Although, he added, there would be some costs that the Borough would be responsible for.

He said he was asked by the Longport Green Team about the Borough providing indemnification for it. He said he would be preparing a resolution to address this.

He added that he was asked by the CFO to prepare an ordinance to address holiday beach tag sales. He added that this ordinance is on the regular meeting agenda for a first reading. He explained that the fee charged for holiday tags would be set by resolution.

Solicitor Affanato said that he looked into short-term rentals in the Borough such as those on Air BnB and VRBO and noted that there were very few listed and most were a minimum of one week rentals. Commissioner Leeds discussed rentals and rental inspections by the Building Department. Solicitor Affanato said that he would look into the Borough's rental regulations.

He provided an update on an affordable housing study completed by Clarke Caton Hintz Company. He discussed the report and the State's rules and regulations for affordable housing. He noted that the Borough's affordable housing obligation is approximately 146 units. He said that the Borough had three options:

1. It could do nothing, which he advised against.
2. The Borough could conduct a vacant land analysis.
3. It could perform the vacant land analysis and then file the report with the courts to determine if the analysis was good, which would then legally protect the Borough in the future.

Solicitor Affanato said he was getting a proposal regarding the cost for options 2 and 3. There was further discussion on this topic.

Engineer Dennis:

Engineer Dennis discussed potential grant opportunities for future Borough projects. He said there is funding available through the Federal Emergency Management Agency and American Rescue Plan. He said he is currently working on a FEMA grant project for pump station work on Winchester Avenue.

He also said that flood certificate survey field work has been completed for both Borough Hall and the Volunteer Fire Department building. He explained that this could help reduce flood insurance costs for the Borough.

Engineer Dennis said he received updated plans for the Well #4 building and that the cost estimate has increased. He added that he is currently reviewing the documents to find potential ways to try and reduce costs. He explained that he wants the Borough to have the most cost effective building design before it goes out to bid. He said the plan is to have the building constructed before the next season.

He also discussed repair of the 36th Avenue bulkhead. He explained that a private landowner is responsible for a portion of the bayside bulkhead. He said he is looking into options on how to work with the owner as the construction process is different for a public entity versus a private landowner. He added that the condition of the bulkhead is currently being evaluated, but that it was not in good condition.

Commissioner Lawler asked about painting the water tower. Engineer Dennis said he recently had the water tower evaluated and that the report recommended that the tower (both the interior and exterior) be painted within the next two years. Engineer Dennis said there has been preliminary discussion to repaint it next year. He added that there might be American Rescue Plan monies that could be allocated for this purpose.

Commissioner Leeds asked about the Capital Improvement Plan and questioned if there were items that needed to be bonded, and if so, if there would be enough time for this. Engineer Dennis said that there would be enough time and he is also looking into grant opportunities to supplement funding.

Hazard Mitigation Plan Update – CRS Coordinator Funk:

CRS Coordinator Funk provided an update on the Borough's Hazard Mitigation Plan. He said that the Borough recently held a public hearing to discuss flood hazard effects and how to mitigate them. He also explained that next year is the Borough's five-year renewal cycle in the Community Rating System. He was anticipating that the Borough would be re-categorized from a Class 5 Community to a Class 3 Community, which should result in flood insurance savings. He also discussed the Atlantic Cape – NJ Coastal Coalition and the Borough's role in it. He provided an update on the Borough's Hazard Mitigation Committee. He also noted that the County would soon be updating its Hazard Mitigation Plan as it is reaching its five year cycle. He explained that the Borough is using a new software system called Forerunner for CRS management. He said that the Borough recently received a FEMA Building Resilient Infrastructure and Communities Grant and mentioned other grants recently received including a grant for home elevations. He also discussed a computer application that would warn residents who subscribe to it of imminent flooding. He also explained that a web camera would be mounted on Borough Hall to monitor flooding events in real time. He added that the Borough would be installing its own tidal gauge. He also discussed a resilient NJ Grant from Housing Urban Development for resiliency planning. He also discussed an Army Corps of Engineers backbay study that would help address backbay flooding. He said that there is an ongoing public comment period on the proposed project ending in October. He said the project is slated for construction in 2033.

CRS Coordinator Funk explained that there is a need to form a committee to formulate a plan for hazard mitigation and capital improvements spanning over the next 30 to 40 years. There was further discussion on this topic.

Mayor Russo:

Mayor Russo – absent.

Commissioner Leeds:

Commissioner Leeds discussed a memo he received from the administrator regarding the sale of Egg Harbor City's water and sewer system and how this affects the Borough's agreement with the Atlantic County Utilities Authority. Administrator Porter explained that the sale has been delayed and that it would now most likely take place in the first quarter in 2022. He said that the Borough would have to wait to take action on the agreement.

Commissioner Leeds noted that he was contacted by union and non-union employees requesting that the Governing Body look into providing employees with COVID-19 Hazard Pay. He explained that other municipalities are doing this and that the Borough would need to provide a response to employees on this topic. Solicitor Affanato said that the Borough is receiving \$89,000 over a two-year period. Solicitor Affanato said he would look into it with the Administrator and come up with options for the Governing Body to consider. It was noted that some of the other municipalities that did provide COVID-19 Hazard Pay to its employees had received millions of dollars in American Rescue Plan funds. There was further discussion on this topic.

Commissioner Lawler:

Commissioner Lawler had nothing further to report.

Municipal Clerk Kyle:

Municipal Clerk Kyle discussed the commission meeting schedule for 2022. She asked if there were any changes that the Governing Body would like to make or if it wished to continue in the same format. She also noted that Mayor Russo had been presented with a Certificate of Appreciation from the Russell Berrie Foundation as he was nominated for the 2020/2021 *Making a Difference Award*. She also noted that the Wounded Warrior Parade was scheduled for later on that day.

Miscellaneous:

None.

Motion to Adjourn – Commissioner Lawler, seconded by Commissioner Leeds. All in Favor – Yes. None Opposed. Mayor Russo – absent. Meeting adjourned at 10:32 am.

**BOROUGH OF LONGPORT COMMISSION MEETING
MUNICIPAL BUILDING, 2305 ATLANTIC AVE
LONGPORT, NJ 08403
WEDNESDAY, SEPTEMBER 22, 2021**

The meeting was called to order with the flag salute at 10:33 am.

Municipal Clerk Kyle read the Opening Statement pursuant to the Open Public Meetings Act. A notice of this meeting was emailed to the Press of Atlantic City and the Current on September 17, 2021. In addition, copies of notices were posted on the bulletin board in the Municipal Building and filed in the office of the municipal clerk. Notices on the bulletin board have remained continuously posted. Official action may be taken at this meeting.

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

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

Emergency Exits, Public Speaking Announcement information provided by Municipal Clerk Kyle.

Proclamation – Wounded Warrior 2021 – U.S. Army Major Todd Berrios.

CRS Coordinator Funk had concluded his update on the Hazard Plan Update at the previous workshop meeting.

Approval of minutes-

Municipal Clerk Kyle requested a motion for approval of the minutes from the August 18, 2021, Workshop and Regular Commission Meeting. Commissioner Leeds made a motion, seconded by Commissioner Lawler, to approve the minutes. ALL AYES- none opposed. Mayor Russo – Absent.

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

First Reading/ Introduction of Ordinance O2021-18 – An Ordinance Amending Chapter 161 – Vehicles and Traffic of the Code of the Borough of Longport, Atlantic County, New Jersey, as it Pertains to Handicapped Parking. *A second reading and public hearing will be held at the October 20, 2021, Regular Commission Meeting that will follow the 4 pm workshop meeting.*

First Reading/ Introduction of Ordinance O2021-19 – An Ordinance Amending Chapter 72-7 Charter Buses (Hours of Operation) of the Borough of Longport, County of Atlantic and State of New Jersey. *A second reading and public hearing will be held at the October 20, 2021, Regular Commission Meeting that will follow the 4 pm workshop meeting.*

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

public hearing will be held at the October 20, 2021, Regular Commission Meeting that will follow the 4 pm workshop meeting.

First Reading/ Introduction of Ordinance O2021-21 – An Ordinance Amending The Code of the Borough of Longport Chapter 61 – Beaches, Parks, Recreational Areas, and Facilities, Article I. Regulations of Paid Beaches, Section 61-2 Beach Fees. *A second reading and public hearing will be held at the October 20, 2021, Regular Commission Meeting that will follow the 4 pm workshop meeting.*

ORDINANCES:

Number	Title
2021-18	An Ordinance Amending Chapter 161 – Vehicles and Traffic of the Code of the Borough of Longport, Atlantic County, New Jersey, as it Pertains to Handicapped Parking
Purpose	The purpose of this ordinance is amend Chapter 161 to remove a handicapped parking space.
Motion	Motion – Commissioner Lawler, seconded by Commissioner Leeds to Introduce Ordinance #O2021-18.
All in Favor	ALL AYES. None opposed. Mayor Russo – Absent.
2021-19	An Ordinance Amending Chapter 72-7 Charter Buses (Hours of Operation) of the Borough of Longport, County of Atlantic and State of New Jersey
Purpose	The purpose of this ordinance is to amend Chapter 72-7 regarding the times a charter autobus may pick up or drop off passengers in the Borough. It also allows the Chief of Police the ability to grant exemptions to the ordinance.
Motion	Motion – Commissioner Leeds, seconded by Commissioner Lawler to Introduce Ordinance #O2021-19.
All in Favor	ALL AYES. None opposed. Mayor Russo – Absent.
2021-20	An Ordinance Amending Chapter 161-9 Vehicles and Traffic (Trucks over four tons excluded from certain streets) and Chapter 161-10 (Violations and Penalties) of the Borough of Longport, County of Atlantic and State of New Jersey
Purpose	The purpose of this ordinance is to restrict certain deliveries on any public right of ways in the Borough of Longport and to amend the violations and penalties. It also provides the Chief of the Police with the ability to grant exemptions to the ordinance.

Motion	Motion – Commissioner Lawler, seconded by Commissioner Leeds to Introduce Ordinance #O2021-20.
All in Favor	ALL AYES. None opposed. Mayor Russo – Absent.
2021-21	An Ordinance Amending The Code of the Borough of Longport Chapter 61 – Beaches, Parks, Recreational Areas, and Facilities, Article I. Regulations of Paid Beaches, Section 61-2 Beach Fees.
Purpose	The purpose of this ordinance is to amend Chapter 61 Beach Fees to provide fees set by resolution for holiday beach tag sales.
Motion	Motion – Commissioner Leeds, seconded by Commissioner Lawler to Introduce Ordinance #O2021-21.
All in Favor	ALL AYES. None opposed. Mayor Russo – Absent.

Public Comment or questions on listed resolutions:

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

RESOLUTIONS – CONSENT AGENDA (R2021-124 through R2021-135):

Number	Title
2021-124	A Resolution of the Borough of Longport, County of Atlantic, State of New Jersey, Authorizing Cancellation of Grant Appropriated Reserves MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent.
2021-125	Authorizing a Tax Refund Due to Overpayment MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent.
2021-126	Knock Out Opioid Abuse Day – October 6, 2021 MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent.
2021-127	Authorizing a Tax Refund Due to Overpayment MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent.
2021-128	Authorizing to Apply for Grant Funding through the Flood Mitigation Assistance (FMA) Program and Execute of a Grant of Agreement with the Federal Emergency Management Agency MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent.
2021-129	Approval to Submit a Grant Application and Execute a Grant Agreement with the U.S. Department of Homeland Security for the FY 2021 FEMA Building Resilient Infrastructure and Communities (BRIC) Program MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent.
2021-130	A Resolution Appointing a Full time Police Officer

2021-131	MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent. A Resolution to Award a Professional Services Contract – Fire Department Medical Examinations MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent.
2021-132	A Resolution Authorizing Contracts with Certain Approved Cooperative Pricing Agreements for Contracting Units Pursuant to N.J.S.A. 40A:11-12a and NJAC 5:34-7.29(c) MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent.
2021-133	Authorizing a Change Order to an Agreement for CRS Software MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent.
2021-134	Resolution Approving Lease of Public Right of Way to Grossman MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent.
2021-135	Resolution Amending Prior Resolution on Remote Commission Meetings MOTION – LEEDS, SECOND- LAWLER, All AYES- none opposed. RUSSO – Absent.

BILL LIST

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

FINANCIAL SUMMARY REPORT

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

ADMINISTRATOR’S REPORT:

Administrator Porter discussed the Beach Maintenance Plan. He said it was deemed complete by the NJ DEP on June 7, 2021. He explained that the NJ DEP initially had 90 days to review the plan, but they recently requested a 30-day extension. He hopes to have a response by October 7, 2021. He added, if approved, it is a five-year permit.

SOLICITOR’S REPORT:

Nothing further to report.

ENGINEER’S REPORT:

Nothing further to report.

COMMISSIONERS REPORTS:

MAYOR RUSSO

Mayor Russo - absent.

COMMISSIONER LEEDS

Commissioner Leeds had nothing further to report.

COMMISSIONER LAWLER

Commissioner Lawler had nothing further to report.

PUBLIC COMMENT

No one from the public wished to speak.

ADJOURNMENT

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

RUSSO – ABSENT. Adjournment – 10:41 am.