BOROUGH OF LONGPORT
Commission Meeting Agenda

June 20, 2012
Regular 5 pm

The "Press of Atlantic City" and the "Downbeach Current" were notified of this meeting and a copy of same was posted on the bulletin board in Borough Hall and on the Borough of Longport website.

I. Call to order

Flag Salute

Roll Call-Emergency Announcements/ Public Speaking 5 minute rule

II. Approval of minutes for June 6, 2012 Commission Meeting

III. **Ordinances (1st Reading/ Introduction)** 2nd reading scheduled for July 11

O2012-05 Amending O2012-01 Salaries/Municipal Clerk's Office

02012-06 Amending Chapter 127-Outdoor Dining

O2012-07 Amending Chapter 78 Curfew

IV. **Resolutions**

a) R2012-60/ Authorizing a Place-To-Place Transfer of Liquor License

V. Bill Pay List

VI. Commissioner's Reports

VII. Public Comment

VIII. Adjournment

Posted: 6-19-12 Revised: 6-20-2012

ANNOUNCEMENTS:

Longport Fire Dept 100th Anniversary Parade- June 23rd @ noon

BBQ on the beach – June 30th, July 1st and July 4th

One Mile Run – July 4th @ 6:30 pm

US Navy Seal Challenge – July 5th

BOROUGH OF LONGPORT
ORDINANCE 2012-05

AN ORDINANCE AMENDING ORDINANCE 2012-01
SALARY, WAGES AND COMPENSATION IN YEAR 2012

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

Section 1: The within described salaries, wages and compensation paid to the following officials, officers and employees shall be computed from June 7, 2012 unless otherwise stated.

DEPARTMENT OF PUBLIC AFFAIRS AND PUBLIC SAFETY

CURRENTLY READS-

BOROUGH CLERK 8,489
DEPUTY BOROUGH CLERK.....47,000 to 57,000

AMENDED TO READ AS OF JUNE 7, 2012

BOROUGH CLERK ..... 47,000 to 57,000
DEPUTY BOROUGH CLERK..... 1,000 to 10,000

Section 2: All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed.

FIRST READING: June 20, 2012
PUBLICATION:
SECOND READING:
FINAL PUBLICATION:

Mayor Nicholas M. Russo, Ed.D.

Commissioner Daniel Lawler

Commissioner James P. Leeds, Sr.

Emilia R. Strawder
Acting Municipal Clerk

BOROUGH OF LONGPORT
COUNTY OF ATLANTIC

ORDINANCE 2012-06

AN ORDINANCE AMENDING CHAPTER 127 – OUTDOOR DINING

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

SECTION 1: Chapter 127-4 Permitted installations in deeded area and public sidewalk

Section A: Within the deeded property line, outdoor tables and chairs, totally within the deeded property of the food establishment and service thereon to patrons, provided:

(4) No alcoholic beverages of any kind shall be served or consumed except inside the restaurant pursuant to a valid ABC license. A placard shall be affixed to each outside table stating, "Consumption or service of alcoholic beverages is prohibited pursuant to the Borough of Longport Ordinance.

SHALL BE AMENDED TO READ

SECTION 1: Chapter 127-4 Permitted installations in deeded area and public sidewalk

Section A: Within the deeded property line; outdoor tables and chairs, totally within the deeded property of the food establishment and service thereon to patrons, provided:

(4) Alcoholic beverages may be served or consumed inside the restaurant or by any restaurant offering outdoor dining pursuant to a valid ABC license. A placard shall be affixed to each outside table stating, "Alcoholic beverage may not be removed from this dining area."

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

First Reading: June 20, 2012
Publication:
Final Reading:

Mayor Nicholas M. Russo, Ed.D.

Commissioner Daniel Lawler

Commissioner James P. Leeds, Sr.

Emilia R. Strawder
Acting Municipal Clerk

BOROUGH OF LONGPORT
COUNTY OF ATLANTIC
STATE OF NEW JERSEY

ORDINANCE 2012-07

AN ORDINANCE AMENDING CHAPTER 78 – CURFEW OF THE CODE OF THE BOROUGH OF LONGPORT

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

SECTION 1: Chapter 78 in its entirety is hereby deleted and replaced with the following:

78-1 Purpose and Findings

A. The Borough of Longport finds and declares that children who are left unsupervised during the overnight hours may be exposed to the most detrimental influences in society and that the allure of the rampant drug counterculture, the potential for involvement in criminal activity and other potential threats to the physical and mental health and welfare of children justify governmental action in furtherance of the protection of one of the most fragile and easily influenced segments of our society.

B. The Borough of Longport further finds and declares that it is in the best interest of society to encourage family unity; to encourage the family unit to provide for the care, protection and wholesome mental and physical development of children; to encourage the supervision of children by their parents and guardians; and to encourage communication between them.

C. The Borough of Longport further finds and declares that because of the peculiar vulnerability of children, their inability to make critical decisions in an informed, mature manner and the importance of the parental role in child rearing, it is appropriate to it to enact this chapter to protect children from the dangers of the streets and to encourage the deepening of familial relationships.

78-2 Definitions.

The following definitions, as used in this chapter, apply:

GUARDIAN
A person, other than a parent, to whom legal custody of the juvenile has been given by court order or who is acting in the place of the parent or is responsible for the care and welfare of the juvenile.

JUVENILE
An individual who is under the age of 18 years.

PUBLIC PLACE
Any place to which the public has access, including but not limited to a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, recreation or shopping area, public transportation facility, vehicle used for public transportation, parking lot or any other public building, structure or area.

78-3 Curfew Established.

It shall be and is hereby declared to be unlawful for any minor under the age of 18 years to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, wharves, docks or other public grounds, public places and public buildings, vacant lots, any automobile or vehicle or other unsupervised places between the hours of 10:00 p.m. and 6:00 a.m. of the following day. The provisions of this section shall not apply to a minor accompanied by his or her parent, guardian or other adult person having the care and custody of said minor, where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of said minor or where said minor is engaged in gainful employment.

78-4 Parental Responsibility.

It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor under the age of 18 years to knowingly permit such minor to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, wharves, docks or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or any automobile or vehicle or other unsupervised places, as aforesaid, in the Borough of Longport, Atlantic County, New Jersey, between the hours of 10:00 p.m. and 6:00 a.m. of the following day. The provisions of this section do not apply when said minor is accompanied by his or her parent, guardian or other adult person having the care and custody of the minor, where the minor is upon an emergency errand or legitimate business directed or authorized by his or her parent, guardian or other adult person having the care and custody of said minor or where said minor is engaged in gainful employment.

78-5 Violations and Penalties.

For a first violation of this offense, a person may be subject to a fine of up to $1,000 and/or up to 90 days of community service, in the discretion of the Municipal Court Judge. For a second or subsequent offense, a person who violates this chapter may be subject to a fine of up to $1,000 and/or community service of up to 90 days, in the discretion of the Municipal Court Judge. If both a juvenile and a juvenile's parents or guardian violate this chapter, they may be required to perform community service together.

78-6 Power to Waive Requirements.

The Chief of Police shall have the power to waive the time requirements of this chapter at any time due to existing conditions.

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 judgment 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.

First Reading: June 20, 2012
Publication:
Final Reading:

Mayor Nicholas M. Russo, Ed.D.

Commissioner Daniel Lawler

Commissioner James P. Leeds, Sr.

Emilila R. Strawder
Acting Municipal Clerk

BOROUGH OF LONGPORT
R2012-60

AUTHORIZING A PLACE-TO-PLACE TRANSFER OF LIQUOR LICENSE 0115-33-002-009

WHEREAS, an application has been filed for a Place-to-Place Transfer of Plenary Retail Consumption License Number 0115-33-002-009, issued to ORIENTAL GOURMET SUPPLY LLC for premises heretofore located at 2401C Atlantic Avenue, Longport, NJ

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Longport does hereby approve, effective June 20, 2012, the Place-to-Place transfer of the aforesaid Plenary Retail Consumption license from 201 W. Seaview Ave, Linwood, NJ 08221 (mailing address) to 2401C Atlantic Ave, Longport, NJ and hereby directs the Borough Clerk/A.B.C. Board Secretary to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to premises located at 2401C Atlantic Avenue, Longport, NJ".

Adopted: 6/20/12

I, Emilia R. Strawder, Acting 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 June 06, 2012 and that said Resolution was adopted by not less that a two-thirds vote of the members of the Longport Board of Commissioners

_____

Emilia R. Strawder/ Acting Municipal Clerk

BOROUGH OF LONGPORT
COMMISSION MEETING
JUNE 20, 2012

REGULAR SESSION @ 5PM

The regular session of the Commission meeting for June 20th was called to order and the Flag Salute was conducted.

Roll call: Mayor Nicholas Russo and Commissioner Lawler were in attendance. Solicitor Pat Agnellini, Engineer Richard Carter and Acting Municipal Clerk Strawder were also in attendance.
NOT IN ATTENDANCE: Commissioner Jim Leeds and CFO Jenna Kelly

Mayor Russo announced emergency exits and five minute public speaking rule.

APPROVAL OF MINUTES FOR JUNE 6TH- Commissioner Lawler made motion to approve the minutes for June 6th and motion was seconded by Mayor Russo. ALL AYES

ORDINANCES – 1ST READING/INTRODUCTION- 2ND READING SCHEDULED FOR JUNE 29TH

O2012-05 AN ORDINANCE AMENDING ORDINANCE 2012-01 SALARY, WAGES AND COMPENSATION IN YEAR 2012

This amendment was needed to reflect the personnel changes in the Municipal Clerk's Office.
Mayor Russo made motion to approve the 1st reading of O2012-05 and seconded by Commissioner Lawler. All Ayes- No Oppose

O2012-06 AN ORDINANCE AMENDING CHAPTER 127 – OUTDOOR DINING

This amendment was necessary to permit alcoholic beverages to be served at restaurants pursuant to ABC license / outdoor dining.
Commissioner Lawler made motion to approve the first reading of O2012-06 and the motion was seconded by Mayor Russo. ALL AYES, No Oppose

O2012-07 AN ORDINANCE AMENDING CHAPTER 78 – CURFEW

This amendment was needed to be consistent with Margate's curfew hours and age.
Mayor Russo made motion to approve O2012-07 and the motion was seconded by Commissioner Lawler. ALL AYES- No Oppose.

RESOLUTIONS

R2012-60 Authorizing Place to Place Transfer of Liquor License
Commissioner Lawler made motion to approve R2012-60 and seconded by Mayor Russo. Resolution approved.

BILL PAY LIST- Commissioner Lawler asked if anyone had any questions regarding the bill pay list. With no questions from the public, Commissioner Lawler made motion to approve the bill pay list and seconded by Mayor Russo. APPROVED.

COMMISSIONER'S REPORTS

Commissioner Lawler stated he had nothing to add.

Mayor Russo mentioned the Fire Parade on Saturday, June 23rd celebrating the 100th Anniversary of the Longport Fire Dept.
Mayor also stated that Longport received the United Way Achievement Award for 2011 and commended Jenna Kelly for her work with this.
Letter was received from the Northfield Community School thanking the Mayor for a contribution to them.
The Mayor reported that the "YIELD" signs will be replaced with "STOP" signs for pedestrians in the crosswalks and would like to make drivers aware of the change.

PUBLIC COMMENT

Martin O'Boyle, 107 S 13th Ave, asked if the proposed curfew ordinance is enforceable. Mr. Agnellini said yes. Mr. O'Boyle stated that a certain individual allows his dog to run free leaving feces on Mr. Silver's property. The Mayor stated that a dog on the beach and not on a leash has always been a problem for the Borough. Solicitor Agnellini is in the process of reviewing and revising the dog ordinance.

Marc Silve, 117 S 13th Ave, congratulated the Governing Body for appointing Dick Carter Deputy Municipal Clerk. The Mayor stated that he appreciates Mr. Carter taking on the extra duty without a stipend. A discussion regarding Isen's dog running free and not enforcing the law ensued. Mr. Agnellini again stated that he is in the process of reviewing and revising the dog ordinance law to reflect dates of when dogs are not permitted. The Mayor would like to follow the State's recommendation of April 15th to Sept 15th.

Ann Eldred, 17 N 33rd, requested information (route) for the fire parade.

Mayor Russo and Commissioner Lawler discussed having an extra Commission meeting to act on the proposed Curfew Ordinance so that it may be passed before the height of the summer season. This would be pending the publications of the 1st reading of the three proposed Ordinances. Commission meeting will be held Friday, June 29th @ 9am.

With no further business to discuss, Commissioner Lawler made motion to adjourn the meeting and seconded by Mayor Russo. MEETING ADJOURNED AT 5:30 PM