

BOROUGH OF LONGPORT

Commission Meeting Agenda

July 31, 2012

4:30 pm Workshop / 5pm Public Meeting

This meeting replaces the cancelled Commission meeting of July 28th, 2012. Both THE DOWNBEACH CURRENT and the PRESS OF ATLANTIC CITY were notified in the change of schedule, published in THE PRESS on July 25th and notices were placed in Borough Hall and on the Longport website www.longport-nj.us.

- 1) WORKSHOP SESSION
- 2) ALL TO ORDER (PUBLIC SESSION)
- 3) FLAG SALUTE
- 4) ROLL CALL
- 5) EMERGENCY ANNOUNCEMENTS/PUBLIC SPEAKING 5 MINUTE RULE
- 6) MINUTES OF MEETING FOR JUNE 20TH & JULY 11TH
- 7) **ORDINANCES** (2ND READING/PUBLIC COMMENT)
 - O2012-08 AMENDING CHAPTER 167-ZONING*
- 8) **ORDINANCES** (1ST READING/INTRO)
 - O2012-09 AMENDING CHAPTER 167-ZONING AS IT PERTAINS TO THE ZONING MAP*
 - O2012-10 AMENDING CHAPTER 161 – VEHICLES AND TRAFFIC AS IT PERTAINS TO STOP SIGNS*
 - O2012-11 AMENDING O2012-01 SALARIES 2012*
- 9) **RESOLUTIONS**
 - R2012-62 AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER*
 - R2012-63 APPROVAL OF CHANGE ORDER FOR BECKETT ENTERPRISES*
 - R2012-64 AUTHORIZING A CHANGE ORDER TO A NON-FAIR & OPEN SUBCONTRACT SERVICES CONTRACT WITH LOTHAR L. HAPKE*
 - R2012-65 CHAPTER 159-BUDGET INSERTION FOR DRUNK DRIVING ENFORCMENT FUND*
 - R2012-66 RESOLUTION TO EXTEND 3RD QUARTER 2012 TAX DUE DATE*
 - R2012-67 AUTHORIZING DISPOSAL OF SURPLUS PROPERTY*
 - R2012-68 GRANTING OCEAN PLAZA CONDOMINIUM ASSOCIATION A NON-EXCLUSIVE REVOCABLE LICENSE FOR AN ENCROACHMENT ON BOROUGH PROPERTY OR RIGHT OF WAY.*
- 10) **BILL PAY LIST & FINANCIAL REPORT SUMMARY**
- 11) **COMMISSIONER'S REPORTS**
- 12) **PUBLIC COMMENT**

In order for the Governing Body to conduct the business of the Borough of Longport in the most productive manner possible, public comment on specific agenda items, questions or comments at the end of regular meetings will be limited to five (5) minutes per person. If you wish to address the Governing Body, please step up to the microphone at the appropriate time, and state your name and address.
- 13) **ADJOURNMENT**

**BOROUGH OF LONGPORT
COUNTY OF ATLANTIC
STATE OF NEW JERSEY**

ORDINANCE NO. 2012-08

**AN ORDINANCE AMENDING CHAPTER 167-ZONING OF THE CODE
OF THE BOROUGH OF LONGPORT ATLANTIC COUNTY NEW JERSEY
AS IT PERTAINS TO EMERGENCY GENERATORS**

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

SECTION I: The following paragraph is added to **Subsection 167-11:**

- G. A single emergency generator meeting all of the following requirements shall be permitted on a single family detached developed lot subject to both Zoning and Building Permit approvals.**
- 1) The output of the generator unit must not exceed 60 KW and there shall be no more than one unit per single family dwelling.**
 - 2) The motor for the generator unit shall be powered by natural gas only**
 - 3) The generator unit must be in a sound attenuated weatherproof enclosure with the engine exhaust muffled to not more than 80dB(A).**
 - 4) The generator unit maintenance run time shall only be permitted between 10:00 A.M. and 2:00 P.M. Monday through Friday, excluding Holidays. Maintenance run times shall not be more than a total of 30 minutes during any seven (7) day cycle.**
 - 5) The generator unit must be located not lower than Elevation 12.0 (NGVD29) and on a suitable support designed and certified by a N.J. Licensed Engineer, which certified design must be submitted with the Municipal Building Permit Application.**
 - 6) The exterior limits of the generator unit shall not be closer than five (5) feet to any side yard and shall not be located closer to the rear property line than ten (10) feet in the RSF-1 and RSF-2 Zoning Districts and five (5) feet in the RSF-3 Zoning District. For other than an RSF Zoning District, the setback of any unit must meet the requirements of the adjacent RSF Zoning District.**
 - 7) No unit to be placed within a side yard shall be located within ten (10) feet of the front property line or the current existing principal building front yard setback along that side yard, whichever is greater.**
 - 8) No unit shall be placed more than three (3) feet from the principal or accessory structure.**
 - 9) All electrical wiring shall be in accordance with the manufacturer's specifications between the unit and the serving structure. All transfer switching, etc shall be located within the principal structure.**
 - 10) For other than single family detached construction, application must be made, and approval obtained from, the Municipal Planning Board to assure compliance with setback and coverage requirements.**
 - 11) The area of the generator unit shall be counted as impervious lot coverage. Any variances necessary for lot coverage shall only be approved by the Municipal Planning Board.**

First Reading: 7-11-12
Publication: 7-15-2012
Final Reading: 7-31-2012

Mayor Nicholas M. Russo, Ed.D.

Emilia R. Strawder
Acting Municipal Clerk

Commissioner Daniel Lawler

Commissioner James P. Leeds, Sr.

**BOROUGH OF LONGPORT
ORDINANCE NO. 2012-09**

**AN ORDINANCE AMENDING CHAPTER 167-ZONING
OF THE CODE OF THE BOROUGH OF LONGPORT
ATLANTIC COUNTY NEW JERSEY
AS IT PERTAINS TO THE ZONING MAP**

WHEREAS, as part of the Re examination Report process, the Municipal Planning Board has recommended revisions to the existing Zoning Map to reflect the current developmental patterns of the Borough; and

WHEREAS, the Municipal Planning Board notified those within the areas to be revised that a Public Hearing would be held on July 25, 2012 at the Regularly Scheduled Planning Board Meeting; and

WHEREAS, there being no public comment at said Hearing necessitating further discussion, the Planning Board voted unanimously to adopt the revised Zoning Map as prepared by the Planning Board Engineer.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF THE BOROUGH OF LONGPORT that:

SECTION I: The Governing Body herein accepts the recommendations of the Planning Board and hereby adopts the revisions to the Zoning Map in accordance with the Zoning Map, revision date 07/2012, as prepared by the Planning Board Engineer

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.

First Reading: 7-31-2012

Publication:

Final Reading: 8-25-2012

Mayor Nicholas M. Russo, Ed.D.

Commissioner Daniel Lawler

Commissioner James P. Leeds, Sr.

Emilia R. Strawder, CMR
Municipal Clerk

**BOROUGH OF LONGPORT
COUNTY OF ATLANTIC**

ORDINANCE 2012-10

**AN ORDINANCE AMENDING CHAPTER 161 - VEHICLES AND TRAFFIC
OF THE CODE OF THE BOROUGH OF LONGPORT
ATLANTIC COUNTY NEW JERSEY
AS IT PERTAINS TO STOP INTERSECTIONS**

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

SECTION 1: The following stop intersection in **Chapter 161-17. Schedule 5. Stop Intersections** is revised to read as follows:

Intersection	Location of Signs
24 th Avenue and Oberon Avenue	Stop signs on 24 th Avenue (Northbound and Southbound) and on Oberon Avenue (Westbound))

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.

SECTION IV: The Certification from the Municipal Engineer is attached hereto.

First Reading: 7/31/12
Publication:
Final Reading: 8-8-2012

Mayor Nicholas M. Russo, Ed.D.

Commissioner Daniel Lawler

Commissioner James P. Leeds, Sr.

Emilia R. Strawder
Acting Municipal Clerk

**BOROUGH OF LONGPORT
ORDINANCE 2012-11**

**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 July 1, 2012.

DEPARTMENT OF PUBLIC WORKS

CURRENTLY READS-

Clerk/Typist \$10.00 – 19.00

AMENDED TO READ AS OF JULY 1, 2012

Administrative Assistant \$20,800 to \$39,520

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

FIRST READING: JULY 31, 2012

PUBLICATION:

SECOND READING: August 8, 2012

FINAL PUBLICATION:

BOROUGH OF LONGPORT
RESOLUTION 2012-62

AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER

WHEREAS, at the Municipal Tax Sale held December 9, 2011, a lien was sold on Block 15 Lot 1.01 also known as 118 S 20th Ave, and

WHEREAS, this lien, known as Tax Sale Certificate #11-0001 was sold to US Bank-Cust Sass Muni VI dtr., for a 0% redemption fee and \$140,000.00 premium; and

WHEREAS, Wells Fargo Bank, N.A. mortgage holder, has effected redemption of certificate in the amount of \$197,031.99; and

WHEREAS, the Borough of Longport holds the \$140,000.00 reserve.

NOW, THEREFORE, BE IT RESOLVED, that the CFO of the Borough of Longport be authorized to issue a check in the amount of \$337,031.99, payable to US Bank-Cust Sass Muni VI dir., 2 Liberty Place, 50 S 16th Street, Suite 1950, Phila, PA, 19102 for redemption of Tax Sale Certificate #11-00001.

Adopted: 7/31/12

*Lawler
keets*

BOROUGH OF LONGPORT
Atlantic County - New Jersey
Resolution 2012 - 63

APPROVAL OF CHANGE ORDER FOR
BECKETT ENTERPRISES, INCORPORATED
FOR 2011 REPAIR AND PAINTING OF MUNICIPAL WATER TANK
31st Avenue at Devon Avenue

WHEREAS, the Borough of Longport awarded a Contract on July 06, 2011 in accordance with Resolution 2011-77 to Beckett Enterprises, Incorporated, of Malaga, New Jersey for their Total Amount Bid of \$598,500.00 for the **2011 REPAIRS AND PAINTING OF MUNICIPAL WATER TOWER - 31st Avenue at Devon Avenue**; and

WHEREAS, within the Total Bid Amount there were two (Alf and Where Directed) items that were not performed by the Contractor; and

WHEREAS, the Municipal Engineer has prepared Change Order No. 1, attached hereto, and is recommending for its adoption, which approval would remove the Alf and Where Directed items from the Contract and result in a decrease the Total Bid Amount **\$20,000.00** bringing the Total Adjusted Contract Amount to **\$578,500.00**.

NOW, THEREFORE, BE IT RESOLVED by the Longport Borough Commission that it hereby accepts the recommendation of the Municipal Engineer and hereby approves Change Order No. 1 resulting in a Total Adjusted Contract Amount of **\$578,500.00**; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized to reduce the original purchase order amount to reflect said reduction in the original Contract.

Adopted: 7/31/12

I, Emilia R. Strawder, CMR, 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 July 31, 2012 and that said Resolution was adopted by not less than a two-thirds vote of the members of the Longport Board of Commissioners

EMILIA R. STRAWDER, CMR
ACTING MUNICIPAL CLERK

Lawler Russo

BOROUGH OF LONGPORT
Atlantic County - New Jersey
Resolution 2012 - 64

**AUTHORIZING A CHANGE ORDER TO A
NON-FAIR AND OPEN SUBCONTRACT SERVICES CONTRACT
WITH LOTHAR L. HAPKE OF LANDENBERG, PENNSYLVANIA
FOR CONSTRUCTION COORDINATION ON
WATER TANK IMPROVEMENT PROJECT**

WHEREAS, the Borough of Longport, in accordance with Resolution 2011-103, authorized the Municipal Engineer to enter into a Contract with **Lothar L. Hapke** for the Construction coordination, Construction Supervision, and Construction Compliance assurance for the **2011 STRUCTURAL REPAIRS AND PAINTING OF THE MUNICIPAL WATER TOWER** for an amount not to exceed \$41,200.00; and

WHEREAS, the work being performed by the Contractor has well exceeded the original contract allotment and allocation of construction time thereby requiring additional inspection and construction coordination; and

WHEREAS, it is essential to have proper construction coordination, supervision, and compliance assurance as the materials and methods of construction for this project are special in nature.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Longport that it hereby authorizes the Municipal Engineer to change order said Subcontract with **Lothar L. Hapke** for **Professional Services** relating to Construction Coordination, Construction Supervision, and Construction compliance testing on a project entitled **Structural Repairs and Painting of Municipal Water Tower**; for an amount not to exceed \$20,000.00; and

WHEREAS, a Certificate of Availability of Funds has been issued by the Municipal Chief Financial Officer and is attached to this Resolution.

Adopted: 7/31/12

I, **Emilia R. Strawder, CMR, 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 July 31, 2012 and that said Resolution was adopted by not less than a two-thirds vote of the members of the Longport Board of Commissioners

EMILIA R. STRAWDER, CMR
ACTING MUNICIPAL CLERK

BOROUGH OF LONGPORT

RESOLUTION #2012-65

CHAPTER 159-BUDGET INSERTION FOR DRUNK DRIVING ENFORCEMENT
FUND

BE IT RESOLVED by the Board of Commissioners of the Borough of Longport that it hereby requests the Director of Local Government Services to approve the insertion of the following items of revenue in the year 2012 budget in the sum of:

Drunk Driving Enforcement Fund \$3,703.43

BE IT FURTHER RESOLVED that like sum of \$3,703.43 be and the same is hereby appropriated under the caption of:

Drunk Driving Enforcement Fund \$3,703.43

BE IT FURTHER RESOLVED that the above grant is from the State of New Jersey, Department of Treasury.

Adopted: 7/31/12

**Borough of Longport
RESOLUTION 2012- 66**

Resolution to Extend 3rd Quarter 2012 Tax Due Date

WHEREAS, delays by the State of New Jersey have delayed the issuance of tax bills for the year of 2012;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Longport in Atlantic County that pursuant to R.S. 54:4-67 the rate of interest to be charged for the non-payment of taxes and/or assessments on or before the date when they would become delinquent, is hereby fixed at eight (8%) percent per annum on the first \$1,500 of the delinquency and eighteen (18%) percent per annum on any amount in excess of \$1,500 to be calculated from the date the tax was payable until the date of actual payment, provided however, that no interest shall be charged if payment of any installment is made within twenty five (25) days after the date upon which the same became payable (August 1, 2012) with a due date extended through August 27, 2012.

Adopted:

I, , Emilia R. Strawder, Acting Municipal Clerk for the Borough of Longport, Atlantic County, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Governing Body of the Borough of Longport at a meeting of said Commission held on July 31, 2012 and said resolution was adopted by not less than a two-thirds vote of the members of the Commission.

Emilia R. Strawder/ Acting Municipal Clerk

**BOROUGH OF LONGPORT
RESOLUTION 2012-67**

**RESOLUTION AUTHORIZING THE DISPOSAL OF
CERTAIN PUBLIC PROPERTY**

WHEREAS, certain Public Property of the Borough of Longport has been offered for public sale in accordance with N.J.S.A. 40A:11-36; and

WHEREAS, it has been determined that there is no longer a 'fair market value' of this certain property such that a private sale would not be of any benefit; and

WHEREAS, said property is of an electronic nature such that it would be appropriate to dispose of through the recycling capabilities of the Atlantic County Municipal Utilities Authority.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Longport, Atlantic County, State of New Jersey that the following list of public property no longer having a fair market value and being of no longer use or function to the Borough shall be disposed of by proper recycling through the Atlantic County Municipal Utilities Authority:

Twenty (20) Computer Monitors consisting of eleven (11) Dell, five (5) WYES, one (1) Viewsonic, one (1) Compaq, one (1) CTX-flat screen, and one (1) MAG

One (1) XEROX XC-33 Copier

Four (4) televisions consisting of one (1) Sharp, one (1) Zenith, one (1) Symphonic, and one (1) Burle; and

BE IT FURTHER RESOLVED that said property shall be removed from the fixed asset list maintained by the Borough.

PASSED AND ADOPTED by the Borough of Longport Governing Body this 31st day of July, 2012. by the following votes:

AYES:

NAYS:

ABSENT:

NOT VOTING:

Nicholas M. Russo, Ed.D, Mayor

ATTEST:

By: _____

Emilia R. Strawder, CMR,
Acting Municipal Clerk

Borough of Longport

RESOLUTION 2012-68

A Resolution Granting Ocean Plaza Condominium, Inc. Association a Non-Exclusive Revocable License for an Encroachment on Borough Property or Right of Way.

Whereas, Ocean Plaza Condominium Association, Inc. ("Owner") owns property in the Borough of Longport ("Owner's Property"); and

Whereas, said Owner has requested that the Commissioners of the Borough of Longport grant a non-exclusive revocable license to permit the Owner to use and maintain property adjacent to the Owner's Property as more fully detailed in the License Agreement entered into or to be entered into between the Owner and the Borough of Longport;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Longport, Atlantic County, State of New Jersey, that the Mayor and Clerk are hereby authorized to execute and deliver a Revocable Non-Exclusive License and Hold Harmless Agreement to Owner in substantial conformity with the form of agreement attached hereto. This Resolution also affirms and ratifies the Borough's execution of the said agreement; and be it further

RESOLVED that all resolutions or parts of resolutions inconsistent herewith are hereby repealed and this resolution shall take effect immediately according to law.

adopted: 7/31/12