BOROUGH OF LONGPORT
Commission Meeting Agenda

November 16, 2012
1:30 pm Workshop / 2 pm Public Meeting

THE DOWNBEACH CURRENT and the ***PRESS OF ATLANTIC CITY*** were notified this meeting and copy of same was posted in Borough Hall.

1) WORKSHOP SESSION – 1:30 P.M.
2) **CALL TO ORDER (PUBLIC SESSION) 2 P.M.**
3) **FLAG SALUTE & ROLL CALL AND ANNOUNCEMENTS**
4) **FEMA**
5) **APPROVAL OF MINUTES- Sept 19th & Oct. 17th**
6) **PUBLIC COMMENT ON AGENDA ITEMS**
7) **ORDINANCES** (1st Reading/Intro- Second Reading scheduled for Dec. 5th)
   O2012-13 AMENDING O2012-01 SALARIES, WAGES AND COMPENSATION **(Assistant Emergency Management Coordinator)**
   O2012-14 AUTHORIZING SALARIES, WAGES, COMPENSATION FOR MEMBERS OF THE LONGPORT POLICEMEN'S BENEVOLENT ASSOCIATION #363
   O2012-15 AMENDING CHAPTER 167-ZONING AS IT PERTAINS TO BUILDING HEIGHT
   O2012-16 AMENDING CHAPTER 144 – SEWERS AND WATER
8) **RESOLUTIONS**
   R2012-112 Chapter 159- Budget Insertion for Drunk Driving Enforcement Fund
   R2012-113 Chapter 159-Budget Insertion for Recycling Tonnage Grant
   R2012-114 Authorizing the Execution of a Contract Between the Borough of Longport and NJ State Policemen's Benevolent Association #363.
   R2012-115 Awarding Professional Service Contract- Jasinski, P.C.
   R2012-116 Authorizing Transfer of Appropriations
   R2012-117 Confirming an Emergency Contract with Kline Construction Company for the Removal of Sand Material from Municipal Streets and Depositing and Regrading of Removed Sand Material on Beach Areas.
   R2012-118 Special Emergency Resolution (5 year Special Emergencies)
9) **BILL PAY LIST AND FINANCIAL REPORT SUMMARY**
10) **COMMISSIONER'S REPORTS**
11) **PUBLIC COMMENT-** A five minute per person public speaking session to allow anyone interested in addressing the Governing Body on matters regarding the Borough of Longport
12) **ADJOURNMENT**

Posted: 11-13-12

ANNOUNCEMENTS

- **COMMISSION MEETING- Dec. 5th @ 4:30/Workshop & 5 pm/Public session**
- **SENIOR LUNCHEON has been placed on hold pending the repair of the elevator.**

BOROUGH OF LONGPORT

RESOLUTION #2012-112

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 $3,217.50

BE IT FURTHER RESOLVED that like sum of $3,217.50 be and the same is hereby appropriated under the caption of:

Drunk Driving Enforcement Fund $3,217.50

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

Adopted:_____

BOROUGH OF LONGPORT

RESOLUTION #2012-113

CHAPTER 159-BUDGET INSERTION FOR RECYCLING TONNAGE GRANT

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:

Recycling Tonnage Grant $1831.17

BE IT FURTHER RESOLVED that like sum of $1831.17 be and the same is hereby appropriated under the caption of:

Recycling Tonnage Grant $1831.17

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

Adopted:_____

BOROUGH OF LONGPORT

RESOLUTION 2012-114

A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT BETWEEN THE BOROUGH OF LONGPORT AND NEW JERSEY STATE POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL NO. 363

WHEREAS, the Borough of Longport desires to ratify and execute the employment contract with the NJ State Policemen's Benevolent Association Local #363;

NOW THEREFORE, BE IT RESOLVED that the Director of Public Safety is hereby authorized to execute an employment agreement on file in the Municipal Clerk's office, with the NJ State Policemen's Benevolent Association Local #363.

All resolutions or parts of resolutions inconsistent herewith are hereby repealed and this resolution shall take effect immediately subject to the terms aforesaid.

Adopted:

BOROUGH OF LONGPORT

RESOLUTION #2012-115

RESOLUTION AWARDING PROFESSIONAL SERVICE CONTRACT

(Borough Special Labor Counsel)

WHEREAS, the Borough of Longport has the need for a Borough Labor Counsel; and

WHEREAS, the local Public Contracts Law (N.J.S.A.40:11-1 et seq) exempts professional services from public advertising for bids which may be awarded by resolution of the governing body.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Longport, in the County of Atlantic and the State of New Jersey, as follows:

1. The Mayor of the Borough of Longport is hereby directed to execute and deliver a professional service contract for a term commencing November 16, 2012 to November 16, 2013, as follows:

Description of Professional Service:	Special Labor Counsel
Name of Professional:	John Hegarty JASINSKI, P.C. Attorney at Law
Fee:	$175.00 per hour
Total Contract:	$3,500.00

2. Funds are available for this purpose and the required certificate of availability of funds issued by the Borough's Chief Financial Officer is annexed hereto.

3. The required notice pursuant to the Public Contracts Law shall be published forthwith. The notice shall state the nature of services to be provided, the duration, and that this resolution and the contract are on file and available for public inspection in the Borough of Longport Clerk's Office.

4. All resolutions inconsistent herewith are hereby repealed, and this resolution shall be effective immediately.

Adopted:

BOROUGH OF LONGPORT

RESOLUTION # 2012-116

AUTHORIZING TRANSFER OF APPROPRIATIONS

WHEREAS, the Chief Financial Officer of the Borough of Longport deems that it is in the best interest of the Borough to transfer appropriations from the specific line items in the 2012 Current Funds; and

WHEREAS, transfers are permitted by N.J.S.A.40A:4;

NOW THEREFORE BE IT RESOLVED that the following transfers are made:

CURRENT FUND

FROM:			TO:		
Legal	OE	$15,500	Tax	OE	$2500
Beach Control	SW	$1500	Construction	SW	$2000
			Construction	OE	$2000
			Emergency Mgmt	SW	$1200
			Parks & Rec	OE	$1000
			Maint of Parks	OE	$1000
			Electricity	OE	$5000
			DCRP	OE	$800
			Beach Patrol	SW	$1500

Adopted:

BOROUGH OF LONGPORT
Atlantic County - New Jersey
Resolution 2012 - 117

CONFIRMING AN EMERGENCY CONTRACT TO KLINE CONSTRUCTION COMPANY FOR THE REMOVAL OF SAND MATERIAL FROM MUNICIPAL STREETS AND DEPOSITING AND REGRADING OF REMOVED SAND MATERIAL ON BEACH AREAS

WHEREAS, the Borough of Longport was faced with an immediate emergency and safety situation from the effects of Hurricane Sandy resulting in serious risks to the health, safety, and welfare of the General Public and citizens of the Borough of Longport; specifically relating to the inaccessibility of emergency vehicles due to the accumulation of sand material within the Borough Streets; and

WHEREAS the Deputy Emergency Management Coordinator negotiated an emergency contract for the immediate removal of said sand material from the street areas and the depositing and regrading of said sand on the Beach areas in order to provide some protection against further storm damage all in accordance with N.J.S.A. 40A:11-6; and

WHEREAS in accordance with the verbal direction of the Commissioner of Public Works, the Borough awarded said Contract and the Governing Body now seeks to ratify the award of said Contract.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Longport, Atlantic County, New Jersey that it hereinafter acknowledges the need for said emergency contract in order to protect the health, safety, and welfare of the General Public and further ratifies an Emergency Contract to Kline Construction Company of Brigantine, New Jersey in an amount not to exceed $ 460.000.00 ; and

BE IT FURTHER RESOLVED that said Contract shall continue until it is determined by the Deputy Emergency Management Coordinator that an emergency risking the health, safety, and welfare of the General Public no longer exists; and

BE IT FURTHER RESOLVED that a Certificate of Availability of Funds issued by the Chief financial Officer based on the adoption of an Emergency Appropriation Resolution is attached hereto.

Adopted: _____

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 November 16, 2012 and that said Resolution was adopted by not less that a two-thirds vote of the members of the Longport Borough Board of Commissioners

_____

EMILIA R. STRAWDER, CMR
ACTING MUNICIPAL CLERK

BOROUGH OF LONGPORT
SPECIAL EMERGENCY RESOLUTION – NJSA 4A:4-54
(5-year Special Emergencies)
R2012-118

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, related to the clearing of sand and debris, repair of building and equipment as well as other costs related to maintaining public safety in the aftermath of Hurricane Sandy, and,

WHEREAS, NJSA 40A:4-54 provides that it shall be lawful to make such appropriation, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJSA 40A:4-54 and NJSA 40A:4-55:

1. A special emergency appropriation is hereby made for "Extraordinary Expenses – Hurricane Sandy" in the total amount of $425,000.00.

2. That the Borough may finance the special emergency appropriation from surplus funds available or may borrow money in a manner prescribed herein. Where an appropriation is financed from surplus funds available, at least one-fifth of the amount thereof shall be included in each annual budget until the appropriation has been fully provided for.

3. That a "special emergency note", not in excess of the amount authorized pursuant to law, be authorized and issued in accordance with the Local Budget Law.

4. That the following matters in connection with the special emergency notes are hereby determined:

(a) All special emergency notes issued hereunder and any renewals thereof shall mature at such time as may be determined by the chief financial officer within the limitations of the Local Budget Law, provided however, that at least one-fifth of all such special emergency notes and the renewals thereof shall mature and be paid in each year so that all special emergency notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of this resolution;

(b) All special emergency notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer;

(c) The special emergency notes shall be in the form determined by the chief financial officer and the chief financial officer's signature upon the special emergency notes shall be conclusive as to such determination.

(d) The chief financial officer is hereby authorized and directed to determine all matters in connection with the special emergency notes not determined by this or a subsequent resolution and the chief financial officer's

BOROUGH OF LONGPORT
ORDINANCE 2012-13

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 January 1, 2012.

DEPARTMENT OF PUBLIC AFFAIRS AND PUBLIC SAFETY

Assistant Emergency Management Coordinator **$1200**

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

FIRST READING: Nov. 16, 2012
PUBLICATION:
SECOND READING: Dec. 5th, 2012
FINAL PUBLICATION:

Emilia R. Strawder

Nicholas M. Russo/Mayor

James P. Leeds,Sr/Commissioner

Daniel Lawler/ Commissioner

Russo
Lawler

BOROUGH OF LONGPORT
ORDINANCE 2012-14

AN ORDINANCE AUTHORIZING SALARIES, WAGES AND COMPENSATION FOR MEMBERS OF THE LONGPORT POLICEMEN'S BENEVOLENT ASSOCIATION

WHEREAS, An Agreement has been executed with the Longport Policemen's Benevolent Association;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners that the Salaries, Wages and Compensation for the members of the Longport Policemen's Benevolent Association are as follows for the years so noted;

RANK	**1/1/2012**	**1/1/2013**	**1/1/2014**
Captain	$106,976.05	$108,580.69	$110,209.40
Lieutenant	$99,977.62	$101,477.29	$102,999,45
Sergeant	$93,437.02	$94,838.58	$96,261.16
Patrolman 4th yr /after	$87,324.33	$88,634.19	$89,963.71
Patrolman 3rd yr	$76,796.30	$77,948.25	$79,117.47
Patrolman 2nd yr	$66,107.00	$67,098.61	$68,105.08
Patrolman 1st yr	$51,777.71	$52,554.37	$53,342.69
Recruit	$39,585.00	$40,178.78	$40,781.46

All Ordinances, or parts of ordinances, inconsistent herewith are hereby repealed.

FIRST READING: Nov. 16, 2012 PUBLICATION:
FINAL READING: Dec. 5, 2012 PUBLICATION:

MAYOR NICHOLAS M. RUSSO COMMISSIONER JAMES P. LEEDS,SR COMMISSIONER DANIEL LAWLER

Leeds comment

Leeds
Lawler

BOROUGH OF LONGPORT
COUNTY OF ATLANTIC

ORDINANCE 2012-15

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

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

SECTION 1: Paragraph A in **Subchapter 167-7 Building Height and Height Exceptions** is hereby deleted and replaced with the following:

A. The maximum building height shall be 31 feet - 6 inches (31'-6") above the finished first floor of the structure for all new and elevated construction, which measurement shall be from a finished first floor not higher than that required under Chapter 99 of the Longport Code. In determining permitted maximum building height for improvements or additions to existing structures, the existing finished first floor must be utilized as long as it is at or below the minimum finished first floor elevation required by Chapter 99. Structures, or portions of structures, raised to comply with Chapter 99 will be required to utilize the new finish floor elevation as long as it is not higher than that required under Chapter 99.

SECTION II: Paragraph B. in **Subchapter 167-7. Building Height and Height Exceptions.** is hereby deleted and replaced with the following:

B. Along any side yard, the underside of the roof eave of any structure shall not be higher than 19 feet above the finished first floor as determined in Paragraph A. Any portion of roof beginning not more than 18" from the face of the principal structure and not more than 14" higher than the permitted eave height shall not be steeper than 45 degrees, or a 1:1 slope. Within this 45 degree roof slope along any side yard, vertical and/or sloped faced dormers having cumulative widths along any one side yard not exceeding the Permitted Dormer Length (obtained by subtracting the cumulative total of the District Regulations for minimum front and rear principal building setbacks from the actual lot depth and using a multiplier of 0.25 (25%)), will be permitted to have a slope greater (steeper) than 1:1. No dormer face will be permitted to be closer than the required principal building side yard setback. No such construction greater than 1:1 (45 degrees) may occur within five feet of the required minimum front or rear principal building setbacks. In addition to the Permitted Dormer Length, not more than two small roofed window areas projecting not more than three feet horizontal (maximum perpendicular projection at any point from the 1:1 roof slope line) and each not more than four feet in width at any point, may also be permitted to violate the 1:1 (45 degree) slope. In order to encourage additional architectural features, the Permitted Dormer Width as measured along the 19 foot eave line may be increased by using a multiplier of 0.35 (35%) as long as the total resulting width in habitable floor area created by the dormer areas is limited to the 0.25 (25%) multiplier. The minimum permitted pitch of any roof slope shall be 4 vertical :12 horizontal.

Leeds - lawler

SECTION III: **Subchapter 167-10 (Reserved)** is changed to read as follows:

167-10 Floor Area Ratio Requirement. In all Zoning Districts, the maximum Floor Area Ratio (FAR) for detached single family construction shall be 0.80 (80%). See definition of FLOOR AREA RATIO contained in Chapter 15 Subchapter 37 (15-37) for method of determining FAR.

SECTION IV: In the first sentence of Paragraph A. in **Subchapter 167-12** reference to "six inches of the property line" shall be changed to read "12 inches of the property line".

SECTION V: The last sentence of Paragraph A. In **Subchapter 167-12.** is hereby deleted and

BOROUGH OF LONGPORT
ORDINANCE 2012-16

AN ORDINANCE AMENDING CHAPTER 144 - SEWERS AND WATER OF THE CODE OF THE BOROUGH OF LONGPORT ATLANTIC COUNTY NEW JERSEY

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

SECTION 1: Chapter 144 of the Code of the Borough of Longport as it pertains to **Sewers and Water** shall be amended and supplemented as follows:

Subchapter 144-7. Approval required is changed to read as follows:

The water meter, meter box and shutoff valve are to be purchased from the Borough of Longport and to be installed by the applicant.

Subchapter 144-23. Service Connection Paragraph A is changed to read as follows:

A. Written application for new service connections shall be made to the Public Works Department before any such connection shall be installed.

Subchapter 144-23. Service Connection Paragraph F and G are added as follows:

F. **Water main taps and service lines.**
Upon installation of the approved water service connection, the Borough shall furnish to the customer a meter, meter pit box, cover plate, and all relevant plumbing fittings necessary to properly install same. Once installation is complete, the Borough of Longport shall be responsible for the maintenance and repair of the water service connection from the existing water main to the vertical face of the established roadway curbing. The abutting property owner shall be responsible for the water service connection and its appurtenances from the vertical face of the established roadway curbing to the building. Such maintenance shall include repair and/or replacement of service piping, curb stops, pit boxes, and lids, valves, pit setters and/or setting horns, pack joints, water boxes and lids; and the assurance of same that is does not constitute a danger to the health, safety, and welfare of the general public. The Borough shall retain ownership and maintenance of the water meter.

Leeds Lawler

G. **Sewer Lateral Responsibility for connection and maintenance**
Upon installation of the approved sewer lateral, the Borough of Longport shall be responsible for the maintenance and repair of the sewer lateral connection from the existing sewer main to the vertical face of the roadway curbing. The adjoining property owner shall be responsible for the sewer lateral and its appurtenances from the vertical face of the roadway curbing to the building. Such maintenance shall include repair and or replacement of lateral piping, sewer traps, tees, risers, vents, sewer caps and lids and the assurance of same that it does not constitute a danger to the health, safety and welfare of the general public.

The Borough shall have the right to charge any person or business the actual cost of repair for any damage caused to its utilities within the Borough roadway.

Subchapter 144-27 Equipment on Customers property Paragraph D is added as follows: