

BOROUGH OF LONGPORT
COMMISSION MEETING MINUTES 11.10.2009

WORKSHOP SESSION
(4:30 P.M.)

Mayor Russo opened the Workshop Session of the Commissioners Meeting also attended by Commissioner Dan Lawler and Commissioner James Leeds.

- + LAWLER - Budget meeting was held. Will be an interesting couple of months to ascertain how to tackle the 2010 budget.
- + New website up and running and looks good. Old site is still accessible but will be taken down by the weekend pending the completion of the new site.
- + Bon Fire is still scheduled for this Friday, Nov. 13th
- + RUSSO - Solicitor Tom Subranni has announced that he will be ending his employment with the Borough after 18 years of service. Subranni has only missed 2 meetings in those years of service.
- + Mayor had a meeting with the school board Superintendent in Trenton and discussed the outcome of that meeting.
- + Race through town on Sunday and expecting approx. four hundred runners
- + Details on Chief Sam Cianci's funeral will be reviewed.
- + Mary Forbes and Anna Mae Yust passed away last month
- + Medicine drop off details at the Community Center will be discussed.
- + LEEDS - Read an article on "Civility in Local Governments" and would like to highlight some key points in the article.
- + Beach clean up on October 24th went very well and would like to mention three people who were outstanding in their service that day.
- + Flu Shots- County didn't give any information on the availability of flu shots.
- + Unknown if any arrangements had been made for Veterans Day. (John Stroebele mentioned the ceremony will be on 11/11 @ 11am with refreshments in Centennial Hall post ceremony)
- + Read into record the ADA history report

With no further business to mention at the workshop session, Comm. Leeds made motion to adjourn and seconded by Comm. Lawler. ALL AYE

REGULAR SESSION 5PM

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings notice mailed to the Press of Atlantic City and the Current Newspaper on December 5, 2008 and is also posted on the bulletin board and has remained continuously posted. In addition, a copy of this notice is and has been available to the public and is on file in the Borough Clerk's office.

A meeting of the governing body of the Borough of Longport was held on the above date in the Court Room of Borough Hall. A Salute to the flag was held and roll call showed the following in attendance:

Mayor Russo, Commissioner Leeds, Commissioner Lawler, Tom Hiltner (Municipal Clerk) and Emilia Strawder (Deputy Clerk), Solicitor Tom Subranni.

Mayor Russo announced that former Police Chief Sam Cianci has passed away. Chief Cianci served with the Borough for a total of 38 years. Funeral arrangements was announced. Moment of silence given in respect.

Mayor Russo dedicated a memorial plaque for Mary “Honey” Forbes, a Borough Municipal Clerk for many years, who passed away last month.

Comm. Lawler reviewed the Financial Report. Bill pay list was reviewed and a resident asked a question about the internet service.

With no further business to discuss in reference to the Financial report or bill pay list, Comm Lawler made motion to approve and 2 nd by Comm. Leeds. ALL AYE

John Stroebale asked the governing body if any information was handed to them during the meeting, if it would be included in the minutes. Tom Hiltner replied that it wouldn't be in the minutes, but would be included in the meeting folder.

RESOLUTION NO. 2009 -108

RESOLUTION RENEWING AND EXTENDING THE 2009 BEACH VENDING LICENSES FOR THE 2010 SEASON AND AMENDING THE SCHEDULE OF PRODUCTS AND PRICES

WHEREAS, the Borough of Longport reserved the option to renew the 2009 beach vending licenses for the 2010 season under the same terms and conditions subject to a 4% increase in the license fee, provided the license fee is paid within one week following the Borough's notice of extension; and

WHEREAS, the Borough of Longport reserved to right to increase the product prices and desires to amend the schedule of products and prices as shown on the attached amended schedule;

WHEREAS, the 2009 beach vending licenses were purchased for the sum of \$30,160 by Mark Hyman and Paul VandeRijn; and

WHEREAS, the Borough of Longport desires to renew and extend the beach vending licenses and schedule of products and prices aforesaid.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Longport that the 2009 beach vending licenses held by Mark Hyman and Paul VandeRijn are hereby renewed and extended for the 2010 vending season, provided

that the renewal and extension fee of \$31,366.40 (includes the 4% increase) is paid to the Borough of Longport within one week following notice of license renewal and extension given to the Licensees; and

BE IT FURTHER RESOLVED, that the issuance of the vendor licenses for the 2010 season is subject to the terms and conditions of the bidding documents; and

BE IT FURTHER RESOLVED, that the attached amended schedule of products and prices is adopted for the 2010 season and following seasons; and

BE IT FURTHER RESOLVED, that all resolutions inconsistent with the provisions hereof are hereby repealed, and this resolution shall be effective immediately.

Adopted: 11-10-2009

Comm Leeds stated that he spoke with ice cream vendor, Marc Hyman, and is satisfied that the problems will be corrected (radio, language, duct tape on chart) Surprise inspections should be conducted periodically to check on compliance.

Comm. Leeds made motion to approve Resolution 2009-108, 2nd by Comm. Lawler.

ALL AYE

RESOLUTION #2009-109

ANNUAL SCHEDULE OF WORK/REGULAR COMMISSION MEETINGS OF THE BOARD OF COMMISSIONERS FOR THE YEAR 2010

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF LONGPORT as follows:

1. Work / Regular meetings of the Board of Commissioners of the Borough of Longport are to be held according to the following schedule for the period of January 1, 2010 through to December 31, 2010 inclusive:

JANUARY 13 Wednesday	work session 4:30pm regular meeting 5:00pm
FEBRUARY 17 Wednesday	work session 4:30pm regular meeting 5:00pm
MARCH 10 Wednesday	work session 4:30pm regular meeting 5:00pm
APRIL 7 Wednesday	work session 4:30pm regular meeting 5:00pm
APRIL 21 Wednesday	work session 4:30pm regular meeting 5:00pm

MAY 5 Wednesday	work session regular meeting	4:30pm 5:00pm
MAY 19 Wednesday	work session regular meeting	4:30pm 5:00pm
JUNE 2 Wednesday	work session regular meeting	4:30pm 5:00pm
JUNE 16 Wednesday	work session regular meeting	4:30pm 5:00pm
JULY 7 Wednesday	work session regular meeting	4:30pm 5:00pm
JULY 24 Saturday	work session regular meeting	10:00am 10:30am
AUGUST 4 Wednesday	work session regular meeting	4:30pm 5:00pm
AUGUST 21 Saturday	work session regular meeting	10:00am 10:30am
SEPTEMBER 1 Wednesday	work session regular meeting	4:30pm 5:00pm
SEPTEMBER 15 Wednesday	work session regular meeting	4:30pm 5:00pm
OCTOBER 6 Wednesday	work session regular meeting	4:30pm 5:00pm
OCTOBER 20 Wednesday	work session regular meeting	4:30pm 5:00pm
NOVEMBER 10 Wednesday	work session regular meeting	4:30pm 5:00pm
DECEMBER 1 Wednesday	work session regular meeting	4:30pm 5:00pm
DECEMBER 15 Wednesday	work session regular meeting	4:30pm 5:00pm

No formal action will be taken at any work session.

All meetings shall be held in Borough Hall, 2305 Atlantic Avenue, Longport, New Jersey.

2. No later than January 10, 2010, the Clerk of the Borough of Longport shall:

- A. Prominently post and maintain such posting on the official Borough bulletin board a copy of this ANNUAL SCHEDULE OF WORK/REGULAR MEETINGS.
- B. Mail a copy of this ANNUAL SCHEDULE to:

The Press, 1000 W. Washington Ave., Pleasantville, N.J. 08232.
Current, 3129 Fire Road, EHT, NJ 08234.

3. A copy of this ANNUAL SCHEDULE and advanced notice of any Special Meetings shall be filed with said Clerk.
4. The fee schedule for anyone requesting in writing, a copy of any notice pursuant to N.J.S.A. 10:4-19 is as stated in Ordinance #2003-12 (NJ Open Public Records Act).
5. This Resolution restates portions of the provisions of the "Open Public Meetings Act", NJSA10:4- 6, et seq., and is not intended to supplement or enlarge the provisions of said Act, except as permitted by law. To the extent that this Resolution is in conflict with said Act, the provisions of said Act shall take precedence.
6. In order to encourage full participation in these meetings, requests for disability accommodations must be made at the Office of the Borough Clerk
Adopted: 11-10-2009
The CURRENT and the PRESS OF ATLANTIC CITY notified 11-19-2009
Schedule also posted on Longport-nj.us website

A typographical error was discovered on the first page and the ADA line on page six was reworded to read "notify the Clerk's Office" eliminating the time limit.

With these corrections, Comm Lawler made motion to accept Resolution 2009-109, seconded by Mayor Russo. ALL AYE

RESOLUTION 2009-110

BOROUGH HALL EMPLOYEES HOLIDAY SCHEDULE FOR YEAR 2010

WHEREAS, the Board of Commissioners has determined that Borough employees are entitled to receive 12 holidays per calendar year; and

WHEREAS, the Governing Body of the Borough of Longport shall determine these holiday dates by Resolution;

NOW THEREFORE BE IT RESOLVED that the following dates are the year 2010 Holidays:

- | | | | |
|-----|-----------|-------------|------------------------|
| 1. | FRIDAY | JANUARY 1 | NEW YEARS |
| 2. | MONDAY | JANUARY 18 | MARTIN LUTHER KING |
| 3. | MONDAY | FEBRUARY 15 | PRESIDENT'S DAY |
| 4. | FRIDAY | APRIL 2 | GOOD FRIDAY |
| 5. | MONDAY | MAY 31 | MEMORIAL DAY |
| 6. | MONDAY | JULY 5 | INDEPENDENCE DAY |
| 7. | MONDAY | SEPTEMBER 6 | LABOR DAY |
| 8. | MONDAY | OCTOBER 11 | COLUMBUS DAY |
| 9. | WEDNESDAY | NOVEMBER 11 | VETERANS DAY |
| 10. | THURSDAY | NOVEMBER 25 | THANKSGIVING DAY |
| 11. | FRIDAY | NOVEMBER 26 | DAY AFTER THANKSGIVING |
| 12. | FRIDAY | DECEMBER 24 | CHRISTMAS |

The holiday provisions in collective bargaining agreements shall apply to the affected employees.

Commissioner Leeds made motion to approve Resolution 09-110 and seconded by Commissioner Lawler. ALL AYE

RESOLUTION 2009-111

AMENDNG RESOLUTION #2009-51/ AWARDING PROFESSIONAL SERVICE CONTRACT

Borough Conflicts and Special Assignment Counsel

WHEREAS, the Borough of Longport has the need for a Borough Conflicts and Special Assignment 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 effective May 8, 2009 for a one-year term commencing May 8, 2009 to May 7, 2010 as follows:

Description of Professional Service: Borough Conflicts and
Special Assignment Counsel

Name of Professional: Parker McCay P.A.

Cost: Not to exceed \$30,000

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. A brief notice stating the nature, duration, service, reference to the contract regarding the amount 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.

Commissioner Lawler made motion to approve Resolution 2009-111 and seconded by Commissioner Leeds. ALL AYE

RESOLUTION 2009-112

**CHAPTER 159-BUDGET INSERTION FOR NJ PEDESTRIAN EDUCATION
MOBILIZATION 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 2009 budget in the sum of:

NJ Pedestrian Education Mobilization Grant \$1,800.00

BE IT FURTHER RESOLVED that like sum of \$1,800.00 be and the same is hereby appropriated under the caption of:

NJ Pedestrian Education Mobilization Grant \$1,800.00

BE IT FURTHER RESOLVED that the above grant is from the State of New Jersey, Division of Highway Traffic Safety.

Commissioner Leeds made motion to approve Resolution 2009-112 and seconded by Commissioner Lawler. ALL AYE
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RESOLUTION 2009-113

**APPROVAL OF CHANGE ORDER TO A CONTRACT PREVIOUSLY
AWARDED TO LAYNE CHRISTENSEN COMPANY FOR THE REMOVAL OF
PUMPING EQUIPMENT FROM WELL NUMBER 2
31st Avenue at Devon Avenue**

WHEREAS, in accordance with Resolution 2009-105, a Contract was awarded to **Layne Christensen Company** for the Removal of Pumping Equipment at Well No. 2 located at the Public Works Complex, 31st Avenue at Devon Avenue in the Borough of Longport; and

WHEREAS, during the removal of said equipment, it was determined that an air line also required removal in order to perform the televising of the well in accordance with the original agreement; and

WHEREAS, the Municipal Engineer was at the site, observed the air line interference, and field directed its removal, necessitating a change order to the Contract for a mutually agreed upon amount of \$1,950.00 as work necessary for the successful completion of the Project.

NOW, THEREFORE, BE IT RESOLVED by the Longport Borough Commission that the direction and recommendation of the Municipal Engineer is hereby accepted and that the informal Contract awarded to **Layne Christensen Company** of Beverly, New Jersey for the original Lump Sum Amount of **\$20,700.00** for the **Removal of Pumping Equipment from Well Number 2**, is hereby increased by the sum of

\$1,950.00, for a Total Adjusted Contract Amount of **\$22,650.00**, as a change order for work necessary to complete the performance of the work.

BE IT FURTHER RESOLVED that a Certificate of Availability of Funds from the Municipal Chief Financial Officer is attached hereto.

Commissioner Leeds made motion to approve Resolution 2009-113 and seconded by Commissioner Lawler. ALL AYE
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RESOLUTION 2009-114

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 2009 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:	
Finance SW	\$2,000.00	Clerk SW	\$4,000.00
Human Resources SW	\$2,000.00		
Fire Dept SW	\$1,000.00	Fire Dept OE	\$1,000.00

Commissioner Lawler made motion to approve Resolution 2009-114 and seconded by Commissioner Leeds. ALL AYE
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RESOLUTION 2009-115

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO CONCORD ATLANTIC ENGINEERS, INCORPORATED FOR A HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) ASSESSMENT OF THE MUNICIPAL HALL BUILDING

WHEREAS, the Borough of Longport awarded a Professional Contract to **Concord Atlantic Engineers, Incorporated** of West Atlantic City, New Jersey for an HVAC Assessment of the Municipal Hall Building located at 2305 Atlantic Avenue in accordance with Resolution 2009-88; and

WHEREAS, the Borough of Longport awarded a Professional Contract to **Modelle Design Studio** of Somers Point, New Jersey for upgrades and improvements to the Municipal Hall Building located at 2305 Atlantic Avenue in accordance with Resolutions 8 and 74; and

WHEREAS, as part of the Municipal Hall Upgrades and Improvements Project, it is necessary to perform HVAC modifications to the first floor bathroom area in order to improve the handicapped accessibility to that area; and

WHEREAS , **Concord Atlantic Engineers, Incorporated** has recently completed their study; is already familiar with the HVAC system of the Municipal Hall; and is capable of better preparing those HVAC modifications necessary under the Architectural Design Plans.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Longport that it hereby authorizes a change order in the amount of \$4,000.00 to **Concord Atlantic Engineers** of West Atlantic City, New Jersey in accordance with their Proposal dated October 30, 2009, attached hereto, for the design, preparation of specifications, and construction coordination of HVAC modifications to the first floor bathroom area as part of the Architectural Project design prepared by **Modelle Design Studio**; and

BE IT FURTHER RESOLVED that a Notice of this Contract Award shall be published at least once in the Atlantic City Press pursuant to the requirements of Chapter 198 of the Laws of 1971; and

BE IT FURTHER RESOLVED that a Certificate of Available Funds as prepared by the Municipal Chief Financial Officer is hereby attached to this Resolution in accordance with Law.

Commissioner Leeds made motion to approve Resolution 2009-115 and seconded by Commissioner Lawler. ALL AYE
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RESOLUTION 2009-116

**AUTHORIZATION TO ADVERTISE THE PLANS AND SPECIFICATIONS FOR THE BRUSHING, CLEANING, TELEVISIONING, AND PRODUCTION TESTING OF WELL NO. 2 AT THE PUBLIC WORKS COMPLEX
31st and Devon Avenues**

WHEREAS, the Borough of Longport is desirous of receiving bids for the **BRUSHING, CLEANING, TELEVISIONING AND PRODUCTION TESTING OF WELL NUMBER 2** at the Public Works complex, 31st and Devon Avenues in the Borough of Longport; and

WHEREAS, Specifications prepared by the Municipal Engineer will be available for advertising on November 16, 2009.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Longport that it hereinafter directs the Municipal Clerk to advertise for bids not later than in the November 16, 2009 edition of the **Atlantic City Press**, with bids to be received on December 01, 2009 at 2:00 P.M. in the Municipal Hall Commission Chambers; and

BE IT FURTHER RESOLVED that the Borough of Longport reserves the right to reject any and all bids; and

Commissioner Leeds made motion to approve Resolution 2009-116 and seconded by Commissioner Lawler. ALL AYE

RESOLUTION 2009-117

AUTHORIZING THE ADVERTISEMENT OF PLANS AND SPECIFICATIONS FOR THE 2010 ADA UPGRADES AND IMPROVEMENTS TO MUNICIPAL HALL BUILDING

2305 Atlantic Avenue

WHEREAS, the Borough of Longport is desirous of receiving bids for the **2010 ADA UPGRADES AND IMPROVEMENTS TO THE MUNICIPAL HALL BUILDING at 2305 Atlantic Avenue** in the Borough of Longport; and

WHEREAS, Project Plans and Specifications are in the process of being finalized by both the Architect and HVAC Consultant and will be on file with the Municipal Clerk on Monday, November 23, 2009.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Longport that it hereinafter approves the Advertisement and Public Bidding of the aforementioned Plans and Specifications; and

BE IT FURTHER RESOLVED that it hereinafter authorizes the Municipal Clerk to advertise for bids not later than in the November 23, 2009 edition of the **Atlantic City Press**, with bids to be received on January 05, 2010 at 2:00 A.M. in the Municipal Hall Commission Chambers; and

BE IT FURTHER RESOLVED that the Borough of Longport reserves the right to reject any and all bids.

Commissioner Leeds explained to those in attendance the need to upgrade the Municipal Hall to comply with some ADA modifications that are needed i.e. sliding glass entrance door.

Commissioner Lawler made motion to approve Resolution 2009-117 and seconded by Commissioner Leeds. ALL AYE

COMMISSIONER'S REPORTS

Commissioner Lawler- discussed a budget meeting to be held on December 7th. Also the new website is available with the old site still up but should be taken down soon once the new site is fully operational. Bon Fire is scheduled for Friday, 11/13 with a rain date of 11/14.

Commissioner Leeds - Discussed briefly about an article on elected officials. Beach cleanup was Oct 24th with a good turnout of approx. 80+ participants. Special kudos to JJ Walsh who spearheaded the clean up crews, Chris Berenotto from Public Works who set up the Community Center and to Mayor Nick Russo who was the truck driver who

transported the clean up crews to assigned areas. Summary report was also read on bldg permits and it shows that permits are up slightly from last year which is a good sign. Commissioner Leeds read into record the ADA history report.

Mayor Russo discussed the results of the meeting that was held in Trenton with the Superintendent of Schools. Topics discussed: busing (not currently done by Margate and is the responsibility of taxpayers), Board representation (not elected school board and she will get back to the Mayor whether Mayor can appoint someone), and as of June 10, 2010 we are responsible for any debts incurred by the school board. Any monies leftover will be returned to the taxpayers and money will not go to Margate.

Marathon race scheduled for Sunday with port-a-potty to be placed on 11th Ave in one of the parking spaces.

Funeral for Sam Cianci will be held 11/13.

Ceremony for Veterans Day will be on 11/11 @ 11am with refreshments served in Centennial Hall following the ceremony. Borough Hall will be officially closed for business for Veterans Day holiday.

Nov. 14th, Longport will host a county event to properly dispose of unwanted/unused medication by turning the medications over to a police officer who will be at the Community Center from 10-2pm.

BRUCE FUNK gave a report on National Flood insurance program. 91% of Longport residents have flood insurance.

TOM SUBRANNI – Mayor Russo announced that Solicitor Tom Subranni will not be returning to serve another term as the Borough Solicitor. Mr. Subranni has served as Solicitor for 18 years having missed only 2 meetings.

PUBLIC COMMENT

Peter Isen, 1209 Beach Terrace- noticed that Mr. Basile is the editor of the Longport Patriot and asked who was paying for this?

Greg Basile, 3217 Ventnor Ave, asked Commissioner Lawler to have the PA system checked. Mr. Basile handed out information to the governing body about Ethics and mentioned that Ocean City has an Ethics board which is currently investigating an issued with the Ocean City Beach Patrol. He was advised that the information will be placed on file.

John Musaro, 118 N 31st- Asked about those who are making adjustments to windows and roofs referring to Bruce Funk's report earlier. He was advised that normal maintenance, i.e. windows, kitchen cabinets, etc) does not need to follow FEMA guidelines. Any items need a bldg permit must be considered as substantial improvement.

John Stroebele, 107 S 26th Ave –handed out literature to the governing body reference to water and sewer rates. His bill was \$1900 and discussed the increase in the rates.

With no further business to discuss from the public, Commissioner Lawler made motion to adjourn the meeting and seconded by Mayor Russo. MEETING ADJOURNED AT 6:20 PM