

**BOROUGH OF LONGPORT
COMMISSION MEETING MINUTES
10-21-2009**

WORKSHOP SESSION
(4:30 P.M.)

Mayor Russo opened the Workshop Session of the Commissioners Meeting.

- Commissioner Lawler -
 - > Restructuring of the bonds- Jenna spoke with Mike Garcia and Longport is doing well. Average interest rate is 3.8%
 - > Website-issue with OPRA form to make sure it complies. Should be up and running soon.
- Commissioner Leeds-
 - > Bon Fire rescheduled for Nov. 13th/raindate Nov.14th
 - > Weekend storm-no beach damage at this point
 - Bldg Dept report from 1/1 to 10/1
 - Beach Clean Sweep for this Saturday, 10/24
 - Verbal Staff reports –after the 1st of the year, have activity reports from each department.
 - Shade Tree Committee-citizen input
- Mayor Russo-
 - > Operation Medicine Cabinet- safe way to dispose of unwanted medications
 - Lifeline program-residents call the Borough by 10 am There is a procedure to follow if call is not received. Neighbors need to alert others who are in need of this service
 - > Kayak storage- discussion with Leeds and Subranni Kayaks should be registered and moved by a certain date. If not moved, Public Works can move it and dispose of it if necessary .
 - > Parking ordinance- should be updated (Leeds) with the addition of the extension of the bike lanes. Does not indicate when the signs on the beach block are to be removed. Ordinance should be revised to include a removal date.

<p>With no further business to discuss, Commissioner Leeds made motion to adjourn the Workshop portion of the Commission meeting, 2nd by Commissioner Lawler. APPROVED</p>

**REGULAR MEETING
(5 P.M.)**

Mayor Russo led those in attendance with the salute to the American Flag.

Municipal Clerk Tom Hiltner read the Sunshine Notice, “In compliance with the Open Public Meetings Act of the State of New Jersey, adequate notice of this meeting of the Governing Body of the Borough of Longport has been provided to two newspapers and published in the December 8th, 2008 issue of *The Press of Atlantic City*. Roll call show the following to be in attendance: Mayor Nicholas Russo, Commissioner James Leeds and Commissioner Daniel Lawler.

Also in attendance: Municipal Clerk Tom Hiltner, Deputy Clerk Amy Strawder, CFO Jenna Kelly, Solicitor Tom Subranni and Borough Engineer Richard Carter.

Financial Summary Report read by Commissioner Lawler. Commissioner Lawler introduced the Bill Pay List and inquired if anyone had any questions.

Peter Isen, 1209 Beach Terrace- Parker, McCay legal bills? Lawler offered an explanation of the Sept bills which breaks down in 10 minute intervals. These bills have been thoroughly reviewed by the Governing Body.

Greg Basile- 3217 Ventnor Ave asked if those bills (mentioned by Isen) were Barker bills and Comm. Lawler stated they were Parker, McCay.

Commissioner Leeds mentioned the \$30,000 bill is for storm drain cleaning.

Dolores Mullen, 114 N Woodcrest, is concerned about the legal bills. Asked why the change from one law firm to another and recommended that the Borough cut back on contacting the law firm to lower the bill.

Commissioner Leeds made motion to pay the bills, 2 nd by Commissioner Lawler. ALL AYE
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Martin O'Boyle, 117 S 13th Ave, are the bills brought about by the OPRA litigation? Mr. Subranni answered that they are. Mr. Barker gave bad advice resulting in redactions that were illegal. Mr. Subranni would not comment due to pending litigation.

Mr. David Miller gave a presentation on RECOMMIT TO SAFETY OF THE JOINT INSURANCE FUND. (See attached information)
The Governing Body pledged to Recommit to Safety for 2010.

Mayor Russo asked for a motion to approve the minutes of the meeting for 10/7/2009.
Commissioner Leeds made motion and 2nd by Commissioner Lawler. ALL AYE

RESOLUTION 2009-107

PROCLAMATION RECOGNIZING JAMES E. FEHRENBACH, A DEPARTMENT OF PUBLIC WORKS EMPLOYEE, FOR HIS DEDICATED SERVICE TO THE BOROUGH OF LONGPORT

WHEREAS, James Fehrenbach is an esteemed resident of the Borough of Longport who has served his community with distinction as a member of the Public Works Department since June, 2003, and

WHEREAS, James Fehrenbach earned the respect and admiration of his peers by the dedicated and professional manner in which he carries out his duties, and

WHEREAS, James Fehrenbach goes the extra step and works weekends and holidays to insure the beaches are clean and the playground facilities are kept safe and clean, umbrellas are up and operational, insures the restrooms are kept clean and neat, and

WHEREAS, James Fehrenbach is a very conscientious person and needs to be commended on his knowledge, experiences, courtesy and professional manner in conducting his duties, and

NOW, THEREFORE, I, Mayor Nicholas Russo and the Longport Board of Commissioners, proclaim their thanks and admiration to

JAMES (JIM) FEHRENBACH

and call upon the residents of our community to join in paying tribute to this remarkable young man for all that he has done and continues to do for the citizens of the Borough of Longport.

James Fehrenbach was presented a proclamation by Commissioner Leeds in the presence of his family, co-workers from Longport Public Works and all attending the Commissioner Meeting.

RESOLUTION 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 VanderRijn; 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 VanderRijn 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.

**AMENDED SCHEDULE OF PRODUCTS AND PRICES
FOR VENDING ON LONGPORT BEACHES
EFFECTIVE 2009**

<u>Generic Product</u>	<u>Maximum price</u>
1. Water - small	\$1.50
2. Water – large sport top	\$3.00
3. Single Bar Popsicle	\$2.00
4. Flavored Ice, Double Bar Popsicle & Fudgesicle	\$2.25
5. Italian Water Ice	\$2.25
6. Ice cream sandwich	\$2.25
7. Frozen Fruit	\$2.50
8. Specialty premium items such as chipwich, space bar, and the like	\$3.50

PLEASE NOTE: THE BOROUGH OF LONGPORT RESERVES THE RIGHT TO AMEND THE SCHEDULED PRICES AND/OR PRODUCTS AT ANY TIME PRIOR TO START OF BID. BIDDERS ARE CAUTIONED TO BE PREPARED FOR AMENDMENTS IN THE SCHEDULE BEFORE BIDDING. THE RIGHT IS ALSO RESERVED TO AMEND, BUT NOT LOWER, THE SCHEDULED PRICES AND/OR PRODUCTS AT ANY TIME AFTER BIDDING AND ISSUANCE OF THE VENDING LICENSE.

Commissioner Leeds stated that he needs more time to read and review this Resolution. There were a few issues with this vendor that he would like to check out. Commissioner Leeds stated that he would vote in favor of tabling this Resolution until the next meeting. Commissioner Lawler agreed stating that the pricing chart is confusing and that duct tape is used to hide some prices on the ice cream cart. Mayor Russo stated that there hasn't been any complaints with the PD on vending. This is the third year of a 3 year contract with 4% added for each year.

RESOLUTION 2009-108 WAS TABLED AND WILL BE RE-INTRODUCED AT THE NEXT MEETING (Nov. 10th) giving time for further research.
Commissioner Lawler made motion to table the resolution which was seconded by Commission Leeds. ALL APPROVED

COMMISSIONERS REPORTS

- Commissioner Lawler - see workshop notes
- Mayor Russo - see workshop notes
- Commissioner Leeds - see workshop notes

PUBLIC COMMENT

Marc Silver, 121 S 13th Ave, discussed the school board merger. Non-operating districts must dissolve by June 30th. Longport will feel the pain. He would like to talk about how to minimize

the pain. The Mayor is the liaison between the school board and the residents and very little information is getting to the public. Requests that a November public meeting be held with a question and answer session. Mayor acknowledged his request.

Mr. Silver also discussed school bus issues. Would like a consultant be hired paid by the school board surplus. Suggests that an item for this be placed on every agenda to inform the public of any news or updates. The Mayor responded by saying that he supports a joint meeting, would refer the consultant idea to the school board and isn't sure if money leftover goes to Margate. The Mayor is traveling on Monday with the school board president to Trenton to the Superintendent of Schools to discuss this.

Martin O'Boyle, 117 S 13th Ave- introduced Steve Woods who is disabled and recently relocated from Florida to Pittsburgh.

Asked if the Town Party was Municipal or Private party. Was advised Municipal function. Asked Mr. Subranni, who is an employee of the Borough, and that his firm is on a separate account. Mr. Subranni confirmed. General Litigation Counsel and Borough Solicitor and Mr. Subranni explained the difference. OPRA request was made for his emails and Mr. O'Boyle received about 640 pages. He asked about the redactions. Mr. Subranni confirmed that he redacted the pages. Discussion and explanation continued.

Commissioner Leeds asked Mr. O'Boyle why he needed the emails. Mr. O'Boyle stated that it was through those emails that he discovered that his family was investigated.

Frank Alfano, 303 N Mansfield Ave, Margate- inquired about the mold in the Borough Hall and was wondering if anything had been done. A report is on file in the Clerk's office and can be obtained through an OPRA request.

Mr. Alfano stated that Mr. Woods (introduced by Mr. O'Boyle) had a difficult time getting into the building stating the ramp is too steep and the door does not open automatically. Also, the mens room is not easily accessible. Mayor Russo stated that the Borough is currently in the process of assessing ADA improvements but the building is currently ADA accessible. Mr. Carter and Mr. Alfano had a discussion on ADA law. Commissioner Leeds stated that when the current governing body arrived, they were aware of the situation and included in a bond some items to upgrade the building, especially to upgrade ADA requirements. Some renovations are already in the works to include a sliding glass door for the entrance, improvements for the restrooms, new sign package for Braille, etc. Bids will be open probably by the end of the year. Mr. Alfano stated that for the past year he has attempted to solve the situation with the angle parking. Said his efforts are only to help the bike riders. His OPRA request was denied and was told to "sue me". He did. Commissioner Leeds asked who said this and Mr. Alfano responded that it will come out in court.

Greg Basile, 3217 Ventnor Ave, has a new dog and walks the beach a lot. Suggests maybe once a month after the normal beach closings, there should be a beach cleaning. Commissioner Leeds will speak to Public Works Supervisor Bill Trinkle about this. Mr. Basile also inquired on a followup on Bruce Funk's Chapter 99 presentation. The Mayor said we have an annual report from Mr. Funk and it will be presented at the next meeting. Mr. Basile asked about the property that was discussed for sale and Commissioner Lawler responded that he only heard about the possibility that nothing has been heard or discussed since.

Mr. Basile also said that Lynn Baumgardner has a good handle on the merger situation. Ms. Baumgardner mentioned that the feasibility studies were halted. Both Mayor and Commissioner Leeds were unaware.

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Debbie Dombrowski, 4 N 33rd Ave, has an 80 yr old Aunt who lost her legs to diabetes. When she anticipates traveling with her, Ms. Dombrowski calls in advance to check on ADA accessibility.

John Musero, 118 N 31st Ave, stated that interest rates are at a low and probably would be extremely prudent to analyze the needs of the Borough and see if a bond issue can be done under these interest rates condition. Commissioner Leeds stated that they have been proactive to make changes in a very old building. Looking into input on any suggestions. Mr. Musero stated that he is in the financial field and interest rates will start to rise soon.

With no further input from the public, Commissioner Lawler made motion to adjourn and seconded by Commissioner Leeds. ALL AYE

Meeting was adjourned at 6:37 pm

Respectfully submitted,

Emilia R. Strawder, CMR
Deputy Municipal Clerk

corrected 11/5/09 (Leeds)