

**BOROUGH OF LONGPORT COMMISSION MEETING
MUNICIPAL BUILDING, 2305 ATLANTIC AVE
LONGPORT, NJ 08403
WEDNESDAY, JUNE 5, 2019 – 4:30 PM**

Meeting was called to order and the flag salute was conducted.

Municipal Clerk Kyle read the Opening Statement pursuant to the Open Public Meetings Act.

ROLL CALL:	Nicholas Russo	present
	James P. Leeds, Sr.	present
	Daniel Lawler	present

Engineer Carter, CFO Kelly, and Municipal Clerk Kyle also in attendance. Solicitor Agnellini was present via telephone.

Emergency exit/fire drill/ public speaking limit – announced by Mayor Russo.

Herb Stern Scholarship Awards Presentation by the Herb Stern Longport Education Foundation. Scholarships were presented to: Tanner Tomassi, Raquel Gresham, Sophia Gresham, Ethan Kramer, Owen Kramer, Wyatt Kramer, Christian Kuhn, Kallista Kuhn, Georgina McGuckin, Michael O'Leary, Thomas Rafter, Nalu Tripician, and Natalie Viso.

A brief recess was taken after the presentation of scholarship awards. Commissioner Lawler made a motion to recess, seconded by Commissioner Leeds. All in Favor – Yes. None opposed. A brief recess was taken at 4:55 pm. Commissioner Lawler made a motion to reconvene, seconded by Commissioner Leeds. All in Favor – yes. None opposed. The meeting was reconvened at 4:58 pm.

Approval of minutes- Municipal Clerk Kyle requested a motion to approve the minutes of the May 9, 2019, Commission Workshop Meeting. Commissioner Leeds made a motion, seconded by Commissioner Lawler to approve the minutes for the May 9, 2019 commission workshop meeting. ALL AYES- none opposed.

Ordinances – First Reading/ Introduction of Ordinance 2019-12. Second Reading/ Public Hearing scheduled for 9 am, June 18, 2019. ****Ordinance 2019-12 was Tabled.***

Number	Title
12	An Ordinance Amending Ordinance 2019-04 Salary, Wages and Compensation In Year 2019
Purpose	The purpose of this Ordinance is to provide firefighters and emergency medical technicians that meet certain criteria with a stipend for serving as an EMS Duty Crew from May 24 through September 1.
Motion to TABLE	Motion to TABLE- Commissioner Lawler, seconded by Mayor Russo to TABLE Ordinance #O2019-12.

All In Favor	ALL AYES. None opposed.
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Ordinances – Second Reading/ Public Hearing.

Number	Title
10	An Ordinance Authorizing Signage at Street Ends for Public Access to Tidal Waters
Purpose	The purpose of this Ordinance is to notify the public of access points to tidal waters at street ends and to periodically review the signs for adequateness.
Public Hearing	<p>Ms. Sabrina Blankenship of 1204 Atlantic Avenue questioned if this ordinance was part of the Master Plan. Engineer Carter noted that it is part of the Municipal Public Access Plan. Ms. Blankenship also asked who owned the street ends? Engineer Carter explained that through subdivision the street ends are dedicated for public use. Ms. Blankenship asked if there are currently easements at the street ends? Engineer Carter explained that there are no easements in place right now and that the State is mandating the dedication of the easements at the street ends. Solicitor Agnellini noted that the ownership is with the municipality. He explained that the State is mandating that the borough dedicate the street ends for public access. Ms. Blankenship asked if signs that state 'Private Bulkhead' would be removed? Solicitor Agnellini noted that there should not be any signs on street end bulkheads stating 'Private Bulkhead.' Ms. Blankenship noted that there are multiple bulkheads with these signs. Ms. Blankenship questioned who is responsible for maintenance of the bulkheads? Engineer Carter and Solicitor Agnellini noted that it was the municipality's responsibility.</p> <p>Mary Nugent of 2604 Oberon Avenue – asked about signs in other areas on the bayside. Solicitor Agnellini noted that signs would state that the street ends are for public access and if it is safe on the bayside the borough may decide to authorize access. Solicitor Agnellini also noted that there is a bayside access point at 13th Avenue. Ms. Nugent clarified that all bayside signs would indicate there is public access.</p>
Motion	Motion- Commissioner Lawler, seconded by Mayor Russo to approve Ordinance #O2019-10.
Roll Call Vote	Mayor Russo - Yes Comm. Leeds – Yes (Comm. Leeds clarified that this would not be for a separate sign, he is against adding more signs. Solicitor Agnellini noted that signs at the beach were adequate, however signs would be needed at the bayside.) Comm. Lawler - Yes. ALL AYES. None opposed.

Number	Title
11	An Ordinance Authorizing Execution of a Deed of Dedication and Perpetual Public Access Easement over Street Ends for Public Access to Tidal Waters in the Borough of Longport, Atlantic County, New Jersey
Purpose	The Purpose of this Ordinance is to authorize the execution of a deed of dedication and perpetual public access easement over street ends for public access to tidal waterways.
Public Hearing	The second reading/ public hearing was postponed to 9 am at the June 18, 2019, meeting upon recommendation by Solicitor Agnellini. Solicitor Agnellini noted that he had to review and incorporate comments from the State.
Motion to Postpone	Motion to POSTPONE - Mayor Russo, seconded by Commissioner Lawler to postpone Ordinance #O2019-11 to the June 18, 2019 meeting at 9 am.
All in Favor	ALL AYES. None opposed.

Public Comment on listed resolutions:

Ms. Mary Nugent of 2604 Oberon Avenue discussed Resolution 2019-74 and approved of the way the licensing agreement was handled. Ms. Nugent also commended the governing body on the work completed on the 26th Avenue bulkhead.

Ms. Sabrina Blankenship of 1204 Atlantic Avenue discussed Resolution 2019-74 and questioned if it was granting an easement for encroachment on the boardwalk right of way. Ms. Blankenship asked if it granted permission to build on the Boardwalk Right of Way. Solicitor Agnellini noted that it would allow the homeowner at 110 S. 26th Avenue to improve/beautify the area, however, the owner must still provide for a public walkway between the property and bulkhead.

No additional comments.

RESOLUTIONS

Number	Title
2019-71	A Resolution for a Chapter 159 Budget Insertion for the Clean Communities Program MOTION - LAWLER, SECOND- LEEDS, All AYES- none opposed.
2019-72	A Resolution Designating the Use of the Gazebo Park at 35 th Avenue and the Small Basketball Court for Use in the Charles T. Adams Memorial Miniature Golf Tournament MOTION-RUSSO, SECOND-LEEDS, All AYES- none opposed.
2019-73	A Resolution Authorizing the Payment for Professional Services and Extension of a Contract with J.P. Bainbridge and Associates, Inc., Related to the Acquiring of Easements for the Army Corps of Engineers Absecon

2019-74	<p>Island Shorefront Protection Project Under Resolution R2016-78 and R2018-87 MOTION-RUSSO, SECOND-LAWLER, All AYES- none opposed.</p> <p>A Resolution Granting 110 S. 36th Avenue, LLC, Block 24, Lot 2.01, a Non-Exclusive Revocable License for an Encroachment on Borough Property or Right of Way MOTION-LAWLER, SECOND-LEEDS, All AYES- none opposed.</p>
2019-75	<p>A Resolution Approval of Change Order Number 1 – Final Replacement of Bayfront Bulkhead – 26th Avenue at Risley’s Channel MOTION-RUSSO, SECOND-LEEDS, All AYES- none opposed.</p>

BILL PAY LIST

Commissioner of Finance and Revenue, Jim Leeds, Sr. asked if there were any questions on the bill pay list of June 5, 2019. There were none. MOTION – LEEDS, SECOND – LAWLER. ALL IN FAVOR- ALL AYES/ NONE OPPOSED.

COMMISSIONERS REPORTS

Mayor Russo asked if a date had been confirmed for the Take A Breather Run for cystic fibrosis? It was noted that a date had not yet been confirmed.

Commissioner Leeds discussed use of the second floor Centennial room by persons for private income. Solicitor Agnellini noted that the use of borough facilities for use by for profit person/ agencies needed to be discussed by the governing body to agree if it was something they wished to pursue and if so, a process would need to be established. Comm. Leeds noted that there are similar requests for use at borough gazebos and basketball courts and wanted to know if the activity was being monitored. Solicitor Agnellini did note that there was a process in place for use of the Community Building. He added that the governing body needed to decide if borough facilities should be used for profit. Comm. Leeds noted that if the facilities were being used for private income he would not be in favor of that. It was noted that there appears to be a basketball camp that is be being held at the borough’s basketball courts and whether or not procedures had been followed including insurance coverage. Mayor Russo noted that he sent an inspector to contact the person and to provide them with information regarding use of facilities. It was discussed whether it was a code enforcement matter or police. Generally, it was decided that it would start as a code enforcement issue and if there were any ordinances violated, then the police would be involved.

Commissioner Lawler noted that he received a phone call from a resident concerned with paint chips from the water tower falling onto his property. Solicitor Agnellini noted he received a call in the past from a resident about concerns about the type of product used on the water tower. Solicitor Agnellini stated that he would reach out to the individual regarding paint chips coming off of the water tower. Commissioner Lawler asked Solicitor Agnellini for an update regarding access to the beach for maintenance. Solicitor Agnellini noted that he needs to review some comments from the State and that he is continuing to work on the Municipal Public Access Plan in order to apply for the Beach Maintenance Permit.

ENGINEER'S REPORT

Engineer Carter discussed bulkheads at 13th, 22nd, and 26th avenues and noted that were all completed. He added the last bulkhead scheduled for work is located at 36th Avenue – ocean side. Engineer Carter noted that he sent a letter to the State requesting to delay the start of work on 29th Avenue at Sunset Avenue until the Fall so that work would not be on-going during the summer season. Engineer Carter also discussed temporary bids being received on Friday, to repair street openings with some included on Ventnor Avenue. Engineer Carter stated that he found a 1949 borough address map and noted that corner street properties did have addresses assigned to either street. He noted that the concept was not new, but that the issue of regularity would need to be addressed.

SOLICITOR'S REPORT

Solicitor Agnellini had nothing further to report.

PUBLIC COMMENT

Ms. Sabrina Blankenship of 1204 Atlantic Avenue questioned if the signs on the bayside access have 'no smoking' included on it. Mayor Russo noted that it is not identified on the bayside. Ms. Blankenship asked if vaping is considered smoking. Solicitor Agnellini noted that he would check the ordinance regarding vaping on the beach. Ms. Blankenship noted that there is a ladder on the bayside bulkhead at 15th Avenue and wanted to know if the bulkhead belonged to the borough. Engineer Carter noted that the 15th Avenue bayside bulkhead belonged to the borough. Ms. Blankenship was concerned about safety, noting that having a ladder there was dangerous. Engineer Carter recommended that Solicitor Agnellini send a letter to nearby property owners at Costa Videre regarding the ladder. Ms. Blankenship recommended painting bus lines in front of Borough Hall so that cars would not park there. Mr. Carter stated that he had discussed the bus stop with NJ Transit officials and it is considered a non-designated pick up space and that as such it does not require a mark out. Ms. Blankenship asked a question about ATV helmet laws, stating that members of the beach patrol and police department are not wearing them while using the ATVs on the beach. Mayor Russo noted that he would mention it to the appropriate departments. Ms. Blankenship discussed the 13th Avenue bayside bulkhead and the steps there for access to that bay. Engineer Carter noted that since the borough could not improve the Point area for access due to a dune issue, the governing body approved the bay access at 13th Avenue for kayak launching. He noted that the steps would be closed off during the winter. She stated that a "No Swimming Sign" sign be placed there as there is a dangerous current in that area. Comm. Leeds asked about access at all the other bayside bulkheads. Engineer Carter noted that additional requests for access have not been made and that only one property owner requested it at 13th Avenue. Ms. Blankenship also noted that there was a car parking, on a regular basis, for more than one hour in the bus stop area that was not being ticketed. Ms. Blankenship questioned when the steps would be completed? Engineer Carter noted that when public works has the opportunity to do so, they will.

Mary Nugent of 2604 Oberon Avenue discussed paid enterprise using borough facilities stating that it was a 'dubious path' for the governing body if they did allow for it. She had concerns about who would be permitted and who would not be. The Mayor agreed that the governing had concerns with allowing paid enterprise. She noted that the situation would be different if the borough had its own recreation department and charged a user fee. Ms. Nugent asked the governing body what is the fire department mutual aid agreement was with Egg Harbor Township. Mayor Russo noted that at a working fire the Longport Volunteer Fire Department would most likely get there first, but command would be delegated

to Egg Harbor Township. Ms. Nugent noted that she thought that Longport's emergency services were a courtesy. Mayor Russo noted that the borough received a discount on dispatching service costs from Egg Harbor Township an estimated \$10,000 or \$15,000. Mayor Russo noted that a previous meeting Ms. Nugent was concerned over the large amount of gasoline in storage tanks at Seaview Harbor. Mayor Russo noted that Seaview Harbor has three underground tanks storing anywhere between 8,000 to 10,000 gallons of gasoline or diesel each. Ms. Nugent added that each boat is also storing large amounts of gasoline. She noted that she was approached by a resident and questioned why she was against Seaview. Ms. Nugent asked about fire hose lines at the Seaview that she noted were paid for with Longport's tax dollars. Mayor Russo explained that the Longport Fire Department does have hose stored there for drills and for use during a fire. He added that the borough did not place anything underground. He added that the fire chief may have made arrangements with Egg Harbor Township's Fire Department, adding that the hose could be Egg Harbor Township's. Ms. Nugent stated that the borough should be reimbursed for any improvements to Seaview Harbor. Mayor Russo discussed a fire in that area that he was involved with at Seaview Harbor. He also added that during Superstorm Sandy Seaview Harbor assisted Longport with a military vehicle. Ms. Nugent noted that the borough could have had its own military vehicle if paperwork had been properly submitted. Ms. Nugent explained that she is not against Longport responding to emergency calls at Seaview Harbor, but stated she was against laying out funds to make an improvement to another town. Mayor Russo said he would discuss the hose with the fire chief.

Ms. Blankenship of 1204 Atlantic Avenue noted that according to ATV laws if a person is younger than 18 years old, they are not permitted to operate an ATV unless they completed a safety course. Mayor Russo stated that he would follow up with the beach patrol and police department regarding the ATVs.

There was no further comment from the public.

ADJOURNMENT

MOTION- LAWLER, SECOND-LEEDS. All AYES- none opposed. (5:45 pm)