

**BOROUGH OF LONGPORT COMMISSION MEETING
MUNICIPAL BUILDING, 2305 ATLANTIC AVE
LONGPORT, NJ 08403
WEDNESDAY, October 23, 2019 – 4:30 PM**

The meeting opened with the flag salute.

The meeting was called to order.

Municipal Clerk Kyle read the Opening Statement pursuant to the Open Public Meetings Act. *The following was added after the Opening Statement: A notice of the relocation to the Longport Public Library was posted on the borough website on Thursday, October 10, 2019, and on the bulletin board and door of Commission Chambers and Centennial Room on Tuesday, October 15, 2019.*

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

Engineer Carter, Solicitor Agnellini, Administrator Porter, CFO Kelly, Chief Culmone, and Municipal Clerk Kyle also in attendance.

Emergency exit/fire drill/ public speaking limit – Mayor Russo. Mayor Russo also noted that the commission meeting was relocated to the Longport Library for health concerns as commission chambers/ court room is undergoing remediation for mold and asbestos.

Approval of minutes- Municipal Clerk Kyle requested a motion for approval of the minutes from the September 5, 2019, Workshop Meeting and the September 18, 2019 Board of Commissioners Regular Commission Meeting. Commissioner Leeds made a motion, seconded by Commissioner Lawler, to approve the minutes of the September 5, 2019, Workshop Meeting and September 18, 2019, Board of Commissioners Regular Commission Meeting. ALL AYES- none opposed.

Mayor Russo changed the order of the ordinances to have the second reading and public hearing of Ordinance 2019-19 – An Ordinance Amending Chapter 161- Vehicles and Traffic of the Code of the Borough of Longport, Atlantic County, New Jersey heard first as there were numerous members of the public who wished to be heard on this ordinance.

Ordinances – Second Reading/ Public Hearing.

| Number | Title |
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| 19 | An Ordinance Amending Chapter 161 – Vehicles and Traffic of the Code of the Borough of Longport, Atlantic County, New Jersey |
| Purpose | The purpose of this ordinance is to change the direction of travel of a portion of Sunset Avenue between 32 nd Avenue to 33 rd Avenue to East. |
| Public Hearing | Eileen Tobin of 7 N. 33 rd Avenue stated that she had serious concerns with this ordinance and questioned if a traffic study had been conducted. Commissioner Lawler addressed Ms. Tobin’s question. He noted that a traffic study was |

conducted and additional research is on-going. He added that he plans to make a motion to withdraw the ordinance and to further research options other than changing the traffic pattern to one way on Sunset Avenue.

Solicitor Agnellini noted that Commissioner Lawler has indicated that he is going to make a motion to Withdraw. He discussed that the ordinance could be re-introduced, but if all of the governing body voted to withdraw the ordinance, there would be no action taken on it at this meeting.

Ms. Tobin stated she had safety concerns regarding the change and was against adopting the ordinance.

Joe Marcasiano Of 13 N. Overbrook Avenue, stated that he had concerns with 28th Avenue due to an accident that took place there approximately 25 years ago and that there was no action taken to make 28th Avenue one way to this day. He said that due to safety concerns 28th Avenue should be made one way.

Lou Fotucci of 21 N. 33rd Avenue said he was concerned about more traffic being directed to 33rd Avenue with this change. He suggested it be made one way towards the bridge and that a change should not be made for one person.

Patricia Toner of 3305 Monmouth Avenue noted that she was in favor of adding speed bumps. She also said that she had concerns with Stop signs being removed in the borough and that cars are not stopping for people in the crosswalks. She suggested adding more Stop signs. Mayor Russo addressed Ms. Toner's concern about removing Stop signs on Winchester and Monmouth avenues.

Joyce O'Donnell of 3216 Monmouth Avenue noted that everyone in Longport has a difficult time getting out of their driveways during the summer season. She asked if the ordinance is re-introduced, when would that happen. She was concerned that it would be re-introduced during the winter season when some residents are not in town. Commissioner Lawler addressed Ms. O'Donnell's question. Engineer Carter noted that if it was re-introduced, it would need to have an introduction and second reading and be advertised. She mentioned that there used to be a Stop sign at 33rd and Amherst avenues and thought replacing the Stop sign in that area might be a good idea.

Brian Walsh of 209 33rd Avenue said he opposes the ordinance and also noted that he left several messages for the Mayor. He said he was in favor of slowing traffic on Sunset Avenue, with the use of a speed bump or Stop sign, but not by changing the traffic direction to one way. He said he had numerous safety concerns with the ordinance. He noted that a group has engaged a civil engineering firm and submitted a report and letters.

Dan Logan of the corner of Monmouth and 33rd Avenue discussed a tragedy he had in his family. Mr. Logan was concerned that the change would bring more traffic to where his children play.

Lee Bordman of 3220 Winchester Avenue noted that traffic is bad in his area since the Stop sign was removed. He was in favor of speed bumps.

Debra Dombrowski of 4 N. 33rd Avenue noted that the change would add to the traffic on 33rd Avenue, which she noted already has numerous vehicles traveling on it.

Ann Eldred of 17 N. 33rd Avenue said that 33rd Avenue is one of the busiest streets in Longport and that this change would only add to the traffic concerns there. She noted that 33rd Avenue is one of the most traveled streets to access the beach and that there are numerous children that use that street to get the beach.

Glenn Falso of 3211 Sunset Avenue said he is concerned about traffic safety on Sunset Avenue and is concerned about the safety of his family and would like to see the area made safer. He noted that people speed in that area. He stated that he is bringing an unsafe situation to the governing body's attention and would like to see it addressed.

Tim O'Connor of 3206 Monmouth Avenue noted that he has concerns about the one-way traffic and thanked the Mayor for responding to his correspondence that he sent to him. He wanted to know why the governing body was considering this ordinance. He noted that potential homeowners need to do due diligence when purchasing a home. He noted that everyone needs to look both ways when backing into the street. He voiced his and his wife's strong opposition to this ordinance.

Kristen Kuhn of 3207 Sunset Avenue noted that the traffic is bad on Sunset Avenue and that safety measures needed to be implemented. She noted that something needed to be done to slow down traffic on Sunset Avenue as it is a very dangerous area.

Michael Dion of 3203 Sunset Avenue noted that this is about creating safety without burdening the community.

Kristen Towbin of 208 N. 35th Avenue noted that there are numerous kids in the area in question. She noted that she would like to see the traffic slowed down in the area.

Glenn Falso of 3211 provided the governing body with a traffic study report from Heather Balgowan of McMahon Associates. Ms. Balgowan, a professional traffic engineer hired by Mr. Falso, provided a summary of her traffic report findings. She noted that they had conducted traffic counts, field views, and crash reports. She noted that they also accounted for seasonal adjustments. She discussed several traffic calming measures and safety measure options.

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| | <p>Michael Affanato of 3105 Winchester Avenue discussed the ordinance and noted that maybe an electronic speed sign would help to reduce speeding in the area.</p> <p>Chief Culmone discussed the ordinance and noted that he did have counters placed on the road. He noted that different ideas had been discussed regarding safety measures for Sunset Avenue. He said that he did not think speed was the issue. He discussed speed humps and noted that they can be very noisy. He discussed the Stop signs removed at 32nd and 33rd avenues.</p> <p>Engineer Carter discussed the ordinance and speed humps. He wasn't sure that speed humps would be the answer for Sunset Avenue.</p> <p>Commissioner Leeds discussed an existing fence on the corner in that area. He noted that it might be something that the planning board might need to begin looking at regarding setbacks as that could help residents in that area.</p> |
| Motion | <p>Motion to WITHDRAW – Commissioner Lawler, seconded by Commissioner Leeds to WITHDRAW Ordinance #O2019-19.</p> |
| Roll Call Vote | <p>Mayor Russo - Yes Comm. Leeds – Yes Comm. Lawler - Yes. ALL AYES. None opposed.</p> |
| Recess | <p>Motion – Russo, Second – Lawler. AIF – Yes. Recess at 5:28 pm. Reconvened at 5:32 pm.</p> |
| 17 | <p>An Ordinance Amending Chapter 167 – Zoning of the Code of the Borough of Longport, Atlantic County, New Jersey, as it Pertains to Building Connections and Pool Walkways</p> |
| Purpose | <p>The purpose of this Ordinance is to amend subsections of Chapter 167 of the Code of the Borough of Longport including Subsection 167-12 D - not allowing connections between principal structures and accessory structures. It also adds Subsection 167-26 providing that the exterior of any continuous pool walkway must meet setback requirements for patios as established in the respective Zoning District Regulations.</p> <p><i>*Engineer Carter noted that the Municipal Clerk received documentation from the Planning and Zoning Board Secretary that there was no objection from the planning and zoning board to this ordinance</i></p> |
| Public Hearing | <p>No one wished to speak.</p> |
| Motion | <p>Motion – Mayor Russo, seconded by Commissioner Lawler to approve Ordinance #O2019-17.</p> |

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| Roll Call Vote | Mayor Russo - Yes Comm. Leeds – Yes Comm. Lawler - Yes. ALL AYES. None opposed. |
| 18 | An Ordinance Authorizing Salaries, Wages and Compensation for Members of the Longport Policemen’s Benevolent Association. |
| Purpose | The purpose of this Ordinance is to authorize salaries, wages and compensation for members of the Longport Policemen’s Benevolent Association for the years 2019, 2020, 2021 and 2022. |
| Public Hearing | Michael Affanato of 3105 Winchester Avenue complimented the police department. |
| Motion | Motion – Mayor Russo, seconded by Commissioner Lawler to approve Ordinance #O2019-18. |
| Roll Call Vote | Mayor Russo - Yes Comm. Leeds – Yes Comm. Lawler - Yes. ALL AYES. None opposed. |

Ordinances – First Reading/ Introduction of the listed ordinances. The Second Reading and Public Hearing is scheduled for November 22, 2019 at 9 am.

| Number | Title |
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| 20 | An Ordinance to Establish Water-Sewer Rates |
| Purpose | The purpose of this Ordinance is to establish new water-sewer rates to become effective in the next billing cycle for the 2020 year |
| Motion | Motion – Commissioner Leeds, seconded by Mayor Russo to introduce Ordinance #O2019-20. |
| All in Favor | All AYES. None opposed. |

Public Comment on listed resolutions:
No one wished to comment.

RESOLUTIONS

| Number | Title |
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| 2019-109 | A Resolution Authorizing Approval of Official Towers for the Borough of Longport Calendar Years 2020 and 2021 MOTION - RUSSO, SECOND- LAWLER, All AYES- none opposed. |

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| 2019-110 | <p>A Resolution Authorizing the Donation of Two Police Department EMS Bags to the United States Coast Guard Auxiliary of Non-Profit Community Service Organization MOTION – LEEDS, SECOND – LAWLER, ALL AYES – none opposed. Mayor Russo – ABSTAINED.</p> |
| 2019-111 | <p>A Resolution Authorizing a Change Order of Contract to Leafy Green Landscaping, PO Box 534, Buena, NJ 08310, for the 2019 Lawn Care & Spring Cleanup at Various Locations MOTION-LAWLER, SECOND-LEEDS, All AYES- none opposed.</p> |
| 2019-112 | <p>A Resolution Authorizing to Apply for Grant Funding through the Flood Mitigation Assistance (FMA) Program and Execute of a Grant Agreement with the Federal Emergency Management Agency MOTION -RUSSO, SECOND- LAWLER, All AYES- none opposed.</p> |
| R2019-113 | <p>A Resolution Authorizing Award of Contract to Tyndall Heating and Air Conditioning, PO Box 157, Absecon, NJ 08201, for the Repair of the HVAC System at Longport Borough Hall Commission Chambers MOTION -LAWLER, SECOND- RUSSO, All AYES- none opposed.</p> |
| R2019-114 | <p>A Resolution Authorizing Award of Contract to Seashore Construction Corporation, 2604 Tilton Road, Egg Harbor Township, NJ 08234, for the Replacement of the Roof on the Gazebos at 27th and Ventnor Avenue and 35th and Atlantic Avenue MOTION -LAWLER, SECOND- LEEDS, All AYES- none opposed.</p> |
| R2019-115 | <p>A Resolution Establishing the Borough Employee Holiday Schedule for the Year 2020 MOTION -RUSSO, SECOND- LEEDS, All AYES- none opposed.</p> |
| R2019-116 | <p>A Resolution Authorizing Award of Contract to CP Electric of Absecon, NJ for the Installation of LED Lights at the Firehouse MOTION -RUSSO, SECOND- LAWLER, All AYES- none opposed.</p> |
| R2019-117 | <p>A Resolution Authorizing Award of Contract for the Provision of Natural Gas Supply Service for the South Jersey Power Cooperative MOTION -LEEDS, SECOND- LAWLER, All AYES- none opposed.</p> |
| R2019-118 | <p>A Resolution Awarding a Professional Service Contract for Borough Special Labor Counsel MOTION -RUSSO, SECOND- LAWLER, All AYES- none opposed.</p> |
| R2019-119 | <p>A Resolution Designating the Duties and Departments Pertaining to the Director of Revenue and Finance MOTION -RUSSO, SECOND- LAWLER, All AYES- none opposed.</p> |

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| R2019-120 | A Resolution Appointing the Commissioner of Public Works, Property and Public Affairs MOTION -LAWLER, SECOND- LEEDS, All AYES- none opposed. |
| R2019-121 | A Resolution Appointing the Commissioner of Public Safety MOTION -LEEDS, SECOND- LAWLER, All AYES- none opposed. |
| R2019-122 | A Resolution Designating the Duties and Departments Pertaining to the Director of Public Safety in the Borough of Longport MOTION -RUSSO, SECOND- LEEDS, All AYES- none opposed. |
| R2019-123 | A Resolution Designating the Duties and Departments Pertaining to the Director of Public Works, Parks and Public Property, and Public Affairs MOTION -LAWLER, SECOND- LEEDS, All AYES- none opposed. |
| *R2019-124 | <i>*The following resolution was added to the agenda:</i> A Resolution Authorizing the Mayor to Sign NJ Department of Environmental Protection Settlement Agreement and Pay Penalty of \$1250 MOTION – RUSSO, SECOND-LAWLER, All AYES – none opposed. |

BILL PAY LIST& FINANCIAL SUMMARY REPORT

Commissioner of Finance and Revenue, Jim Leeds, Sr., read the Financial Report Summary into the record asked if there were any questions on the report. There were none. MOTION – LEEDS, SECOND – LAWLER. ALL IN FAVOR- ALL AYES. NONE OPPOSED.

Commissioner of Finance and Revenue, Jim Leeds, Sr., asked if there were any questions on the bill pay list of October23, 2019. There were none. MOTION – LEEDS, SECOND – RUSSO. ALL IN FAVOR- ALL AYES. NONE OPPOSED.

COMMISSIONERS REPORTS:

MAYOR RUSSO

Mayor Russo requested an update on the progress of remediation inside Borough Hall. Administrator Porter discussed the progress of the remediation project. He said that a new HVAC unit had been ordered for Commission Chambers/ Court Room and that will be installed soon. Administrator Porter noted that the Centennial Room is still being worked on. He also discussed crawl space work and basement work that needed be done. Administrator Porter also discussed the HVAC system for the Police Department and that work is being done to identify what needs to be corrected. He explained that the temperature needs to be regulated in the police department. He also discussed overall humidity control in the building. He noted that the borough had proposals for remediation of the mold and asbestos. He noted that it was not recommended to install carpeting in the two rooms being remediated. He said he would be preparing a proposal for the governing body.

COMMISSIONER LEEDS

Commissioner Leeds - nothing further to report.

COMMISSIONER LAWLER

Commissioner Lawler - nothing further to report.

ENGINEER'S REPORT

Engineer Carter noted that he had some paperwork for the Mayor to sign regarding the boat lift. Engineer Carter also discussed the crawl space and the relative humidity in the building. He noted that the humidity in the library is low and that one thing that made the library section different is that the crawl space in is not tied in under it. He discussed additional dehumidification needs for under the police department.

SOLICITOR'S REPORT

Solicitor Agnellini discussed adding another resolution to the agenda regarding the testing of the borough's potable water. He noted one of the mandatory tests was missed and that the employee is working to correct that for the future. He explained that the NJ DEP has confirmed the technical violation and that the subsequent notification of the failed test was also missed since the borough was not aware that the test had not been performed. He noted that the NJ DEP has offered a compromise penalty and explained that this notification came in the mail today and the borough has 14 days to respond. He said if the governing body is agreeable to the compromise penalty, he would request to add a resolution to the agenda to execute the settlement agreement penalty of \$1250.00. Solicitor Agnellini noted that he was going to pursue the contractor for reimbursement.

Mayor Russo added to the agenda - Resolution 2019-124 Authorizing the Mayor to Sign NJ Department of Environmental Protection Settlement Agreement and Pay Penalty of \$1250.

Motion – Russo, Second – Lawler. All in Favor – Yes. None opposed.

MUNICIPAL ADMINISTRATOR'S REPORT

Administrator Porter discussed the Best Practices Inventory. Mayor Russo noted that he had a few questions about the inventory. Commissioners Leeds noted that he has reviewed the Best Practices Inventory with CFO Kelly and that the Borough's score was good.

PUBLIC COMMENT

Michael Affanato of 3105 Winchester Avenue asked if a study had been done regarding the cost to replace Borough Hall versus the money being spent to repair the building. Engineer Carter noted that a study was done in 2010. Engineer Carter discussed the report. He noted that at this point in time, there have been several changes, including changes in environmental standards to factor in when considering new construction. Mayor Russo discussed that when the study was done, the decision was made to repair the building due to its intrinsic historic value.

There was no further comment from the public.

ADJOURNMENT

MOTION- LAWLER, SECOND-LEEDS. All AYES- none opposed.

(6:11 pm)