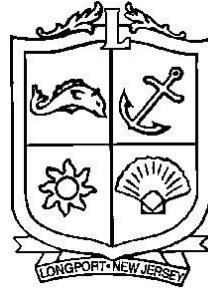


Posted: 1/13/2023

Revised:



**BOROUGH OF LONGPORT
COMMISSION WORKSHOP MEETING
January 18, 2023
4:00 pm**

This meeting was called pursuant to the provisions of the Open Public Meetings Law. Notices of this meeting were emailed to The Ocean City Sentinel and The Press of Atlantic City on January 13, 2023. In addition, copies of notices were posted on the bulletin board in the Municipal Building and filed in the office of the Municipal Clerk. Notices on the bulletin board have remained continuously posted.

Members of the public will have the option to listen to meeting audio only. *Remote public participation is not permitted.* The public can access meeting audio by calling:

United States (Toll Free): 1-877-309-2073

United States: +1 (646) 749-3129

And entering the access code: 464-810-189.

Or you can join from your computer, tablet or smartphone with the following link: <https://global.gotomeeting.com/join/464810189>. If you do not have the GoToMeeting Application, please access it with the following link: <https://global.gotomeeting.com/install/464810189>.

1. Meeting called to order/OPMA notice announced
2. Roll call taken
3. Emergency Exits
4. Municipal Administrator
5. Borough Solicitor
6. Borough Engineer
7. Mayor Russo
8. Commissioner Leeds
9. Commissioner Lawler
10. Municipal Clerk
11. Miscellaneous
12. Adjournment

Posted: 1/13/2023

Revised:

**THE FOLLOWING ITEMS ARE SCHEDULED FOR ACTION AT THE JANUARY 18, 2023,
REGULAR COMMISSION MEETING:**

**BOROUGH OF LONGPORT
COMMISSION MEETING AGENDA
January 18, 2023**

This meeting was called pursuant to the provisions of the Open Public Meetings Law. Notices of this meeting were emailed to The Ocean City Sentinel and The Press of Atlantic City on January 13, 2023. In addition, copies of notices were posted on the bulletin board in the Municipal Building and filed in the office of the Municipal Clerk. Notices on the bulletin board have remained continuously posted. [Official Action May be Taken at this Meeting.](#)

Members of the public will have the option to listen to meeting audio only. *Remote public participation is not permitted.* The public can access meeting audio by calling:

United States (Toll Free): 1-877-309-2073

United States: +1 (646) 749-3129

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1. Flag Salute
2. Meeting called to order- OPMA notice announced
3. Roll Call
4. Emergency exit announcement/Public Speaking time limit
5. Approval of Minutes – January 4, 2023, Board of Commissioners Reorganization Meeting. Minutes have been previously distributed for Commissioners’ Review.
6. **ORDINANCES – Second Reading/ Public Hearing:**
 - **O2023-01** – An Ordinance Authorizing the Salaries, Wages and Compensation in Year 2023 for Employees Not Covered by Previous Ordinance or Union Contracts
7. **ORDINANCES – First Reading/ Introduction. A Second Reading and Public Hearing is scheduled to be held on February 15, 2023, following the 4 pm Workshop Meeting:**
 - **O2023-02** – An Ordinance Amending Part II Chapter 99-12

- **O2023-03** – An Ordinance Amending Part I Chapter 31-31

8. RESOLUTIONS – CONSENT AGENDA – Resolutions R2023-12 through R2023-18

Public Comment – Limited to 3 Minutes per Person, please state name and address.

- **R2023-12** – A Resolution Setting Dates and Hours for Beach Picnicking and Barbequing 2023
- **R2023-13** – A Resolution Appointing Members of the 125th Anniversary Celebration Committee
- **R2023-14** – A Resolution Authorizing the Disposal of Surplus Property
- **R2023-15** – A Resolution Adopting Rules and Regulations for Beach Vending, Adopting Terms and Conditions of Licensure and Giving Notice for the Sale of a Beach Vending License
- **R2023-16** – Emergency Temporary Appropriation 2023
- **R2023-17** – A Resolution Authorizing Contracts with Certain Approved Cooperative Pricing Agreements for Contracting Units Pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c)
- **R2023-18** – Authorizing a Refund for a Construction Permit

9. Bill List/ Financial Summary Report

10. Municipal Administrator's Report

11. Borough Solicitor's Report

12. Borough Engineer's Report

13. Commissioners' Reports

14. Public Comment

15. Adjournment

BOROUGH OF LONGPORT

ORDINANCE 2023-01

***AN ORDINANCE AUTHORIZING THE SALARIES, WAGES AND COMPENSATION IN YEAR 2023 FOR
EMPLOYEES NOT COVERED BY PREVIOUS ORDINANCE OR UNION CONTRACTS***

Section 1: The within described salaries, wages and compensation paid to the following officials, officers and employees shall be computed from January 1, 2023.

All amounts are annual unless otherwise noted and shall not exceed the following:

DEPARTMENT OF PUBLIC AFFAIRS AND PUBLIC SAFETY

COMMISSIONER	13,982
POLICE CHIEF	100,000 to 175,000

OFFICE OF THE BOROUGH CLERK

MUNICIPAL ADMINISTRATOR	40,000 TO 85,000 or 20.00 to 50.00
BOROUGH CLERK	45,000 TO 90,000
DEPUTY BOROUGH CLERK	1,000 TO 10,000
REGISTRAR	3,744
DEPUTY REGISTRAR	1,829
ALTERNATE DEPUTY REGISTRAR	582
MUNICIPAL COURT JUDGE	12,000 TO 17,500
PROSECUTOR	12,064
EMERGENCY MANAGEMENT COORDINATOR	3,000 TO 5,000
DEPUTY EMERGENCY MANAGEMENT COORDINATOR	1,500 TO 2,900
PLANNING BOARD ADMINISTRATIVE OFFICER	1,798
PLANNING BOARD RECORDING SECRETARY	1,798
ZONING/CODE OFFICER	45,000 TO 80,000
CLERK TYPIST (HOURLY)	15.00 TO 19.00
COMPLIANCE INSPECTORS (HOURLY)	16.82 to 28.85 or 35,000 to 60,000
UNIFORM CONSTRUCTION CODE COORDINATOR	45,000 TO 80,000
ZONING ASSISTANT	18.00 TO 25.00
BUILDING DEPARTMENT ADMINISTRATOR	50,000 TO 95,000
FIRE CHIEF	7,726
ASSISTANT FIRE CHIEFS	5,171
FIRE CAPTAINS	2,171
FIRE LIEUTENANTS	988
UNIFORM FIRE OFFICIAL	1,905
EMS Director	988
UNIFORM FIRE INSPECTOR	317
FIRE DEPT STIPEND	UP TO 2,250

COMMUNITY RATING SYSTEM DIRECTOR	3,000 TO 5,000
SPECIAL LAW ENFORCEMENT OFFICER I & II	15.00 TO 30.00
ADMINISTRATIVE ASSISTANT CLERK-POLICE DEPT	40,000 to 100,000
DOG LICENSE OFFICIAL	1,166
RECREATION SUPERVISOR	18.00 TO 25.00

BEACH PATROL

CHIEF	19,000 to 28,000
CAPTAIN (MAXIMUM OF 85 DAYS)	180.00-250.00
BOAT HOUSE MAINTENANCE	180.63 PER DAY **

** THE LIFEGUARD FORCE, INCLUDING THE OFFICERS LIMITED TO 120 BOATHOUSE MAINTENANCE DAYS IN TOTAL.

ANY OFFICERS AND LIFEGUARDS EMT-CERTIFIED MUST USE HIS/HER EMT SKILL AND TRAINING IN EVENT OF A BEACH EMERGENCY, MAY RECEIVED AN ADDITIONAL STIPEND OF \$550, IF THE INDIVIDUAL WORKS A MINIMUM OF 40 DAYS IN THE 2023 SEASON.

DEPARTMENT OF REVENUE AND FINANCE

COMMISSIONER	13,982
CHIEF FINANCIAL OFFICER	50,000 TO 100,000
TAX ASSESSOR	12,000 TO 22,000
TAX COLLECTOR	50,000 to 80,000
DEPUTY TAX/UTILITY COLLECTOR	1,000 to 10,000
JIF FUND COMMISSIONER	3,000
SAFETY COORDINATOR	3,000
CLAIMS COORDINATOR	3,000
ALTERNATE PAYROLL CLERK	1,166
QUALIFIED PURCHASING AGENT	3,683
® REASSESSMENT COORDINATOR	9,000 TO 12,360
® FIELD ASSESSOR-REASSESSMENT	5,150

® **NOT REQUIRED EVERY YEAR**

DEPARTMENT OF PUBLIC WORKS

COMMISSIONER	13,982
LICENSE HOLDER	15,679
SUPERINTENDENT	34.00-45.00
WATER UTILITY & PUBLIC WORKS (HOURLY)	
ADMINISTRATIVE ASSISTANT	20,800 TO 45,000
Laborer (as needed)	15.00 to 20.00

SECTION II: The salaries of all officials and employees of the Borough shall be paid on a bi-weekly basis with the exception of those salaries paid *not less than quarterly* so as to conform with pension reporting procedures.

SECTION III: Each full-time employee, except for those employees covered by a collective bargaining agreement or a management contract shall receive longevity pay, according to and in compliance with the Borough of Longport Personnel Policies and Procedures Manual and Employee Handbook, in addition to their regular salary.

SECTION IV: Firefighters and Emergency Medical Technicians (EMT) may receive a stipend. The Fire Chief shall develop criteria for payment of an annual stipend to certain Firefighters/EMT's of the Longport Volunteer Fire Department. A stipend may also be given for individuals who handle administrative duties through the year. Those criteria shall be presented to the Director of Public Safety and Public Affairs on an annual basis for the Director's approval. In no event shall any such stipend paid by the Borough of Longport in accordance with this ordinance be considered as salary or other remuneration. The payments set forth herein shall not be considered salary, nor shall such payments be considered to in any way construe the creating of a paid or partially paid fire department or ambulance squad with the Borough of Longport. No person receiving such stipend shall be considered by virtue of that stipend alone an employee of the Borough. Payments of stipends are subject to production of adequate documentation of current certification. No individual may receive fire department stipends totaling more than \$2250.

SECTION V: EMS Duty Crew Stipends: The dates for the EMS Duty Crew program shall be determined by the Chief of the Fire Department annually.

The following stipends will be paid on a bi-weekly or monthly basis. All stipends will be in compliance with the EMS Duty Crew SOP. The range for the following titles are as follows per shift:

Driver: Non Firefighter - \$ 75.00 - \$160.00

Certified FFI by NJ Division of Fire Safety -\$75.00 - \$ 160.00

EMT: Non Firefighter -\$75.00 - \$ 160.00

Certified FFI by NJ Division of Fire Safety - \$75.00 - \$ 160.00

The Longport Volunteer Fire Department will provide a per call stipend for all EMS Responses not part of the EMS Duty Crews. All Stipends will be in compliance with Fire Department EMS Response Plan SOP. The range for this payment for the following titles as follows:

Driver: \$ 20.00 - \$ 45.00 per call

Certified EMT: \$30.00 - \$ 65.00 per call

Additional Responders on an EMS Call may receive - \$ 10.00 per call

Duty Crew Payment and EMS Call Responses Payment will be tracked by the Fire Chief and/or his designee and submitted for payment on a biweekly to monthly basis.

*The cumulative amount for any paid fire department stipend and/or duty crew may not exceed \$17,235.00 per year.

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

Vote on First Reading: 1/4/2023

Publication Date: 1/9/2023

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 st Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo	X		X			
Leeds						X
Lawler		X	X			
XX-indicates vote	NV-not voting	AB. - Absent				

Vote on Second Reading: 1/18/2023

Publication Date:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						

Lawler						
X-indicates vote	NV-not voting	AB. - Absent				

Borough of Longport
Signature page for Salary Ordinance 2023-01
Page 4 of 4

 Monica Kyle, RMC, CMR
 Municipal Clerk

 Mayor Nicholas Russo

 Commissioner James P. Leeds, Sr.

 Commissioner Daniel Lawler

**BOROUGH OF LONGPORT
COUNTY OF ATLANTIC**

ORDINANCE 2023-02

AN ORDINANCE AMENDING PART II CHAPTER 99-12

Borough of Longport Code Provision 99-12 is hereby amended as follows:

§99-12 Establishment of development permit; information required.

A development permit shall be submitted, prior to undertaking any development activities, to the floodplain management administrator on forms furnished by him or her and must include, but not be limited to, the following plans, in duplicate, drawn to scale, showing the nature, location, dimensions, and elevations of the area under consideration for development; existing structure(s) and other features; proposed structure(s), earthen fill, storage of materials or equipment, drainage facilities, perimeter setbacks, environmental features such as base floodplain areas, wetlands, and other protected areas; and the location of the foregoing. Specifically, the following information, certified by a professional who is authorized to certify such information in the State of New Jersey, is required:

A. Application stage.

(1) Elevation, in relation to mean sea level, of the lowest floor (including basement) of all structures. All elevations must be measured in feet relative to the North American Vertical Datum of 1988. All elevations in National Geodetic Vertical Datum (NGVD 1929) must be converted to NAVD 1988 elevations.

(2) Elevation, in relation to mean sea level, to which any structure has been floodproofed.

(3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in § **99-17B**.

(4) Existing and proposed infrastructure.

(5) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(6) Building plans for any walls to be used to enclose space below the base flood elevation.

B. Construction stage. Upon the placement of the top of block, the lowest floor or floodproofing by whatever construction means, it shall be the duty of the permit holder to submit to the floodplain administrator a certification of the elevation of the lowest floor or floodproofed elevation, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer who is authorized to certify such information in the State of New Jersey and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk.

C. The floodplain administrator shall review the lowest floor elevation and floodproofing certificate. Should these documents be found not in conformance with the requirements of this chapter, the permit holder shall immediately cease further work and shall correct any deficiencies. Failure of the permit holder to submit the surveyed lowest floor elevation and floodproofing certificate, and failure to correct said deficiencies required hereby, shall be cause to issue a stop-work order for the project.

[D. Fees: The following fees shall apply to the issuance of a permit as provided for in this Code Section:

- (1) New Construction/Substantial Improvements: \$ 150.00
- (2) Construction Renovation/Additions: \$ 100.00
- (3) All other applications: \$ 50.00]

Vote on First Reading: 1/18/2023

publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 st Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
XX-indicates vote NV-not voting AB. - Absent						

Vote on Second Reading/Public Hearing: 2/15/2023

publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
X-indicates vote NV-not voting AB. - Absent						

This is a Certified True Copy of the Original Ordinance O2023-02 on file in the Municipal Clerk's Office.

/s/ **MONICA A. KYLE, RMC, CMR**
MUNICIPAL CLERK

Monica A. Kyle

Nicholas M. Russo/Mayor

James P. Leeds, Sr/Commissioner

Daniel Lawler/ Commissioner

**BOROUGH OF LONGPORT
COUNTY OF ATLANTIC
ORDINANCE 2023-03**

AN ORDINANCE AMENDING PART I CHAPTER 31-31

Borough of Longport Code Provision 31-31 is hereby amended as follows:

§ 31-31 Work hours.

The Municipal Administrator shall devote on a part-time basis no more than [an average of] 32 hours per week to the interests of the Borough. The position is hourly, and, therefore, his or her hours may include, but may not be limited to, 9:00 a.m. to 4:30 p.m., Monday through Friday, as determined by the Mayor, which may include Commission meetings and workshop meetings. The Borough Commission reserves the right at any time to set additional hours for the Administrator by resolution.

Vote on First Reading: 1/18/2023

publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 st Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
XX-indicates vote NV-not voting AB. - Absent						

Vote on Second Reading/Public Hearing: 2/15/2023

publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						
Leeds						
Lawler						
X-indicates vote NV-not voting AB. - Absent						

This is a Certified True Copy of the Original Ordinance O2023-03 on file in the Municipal Clerk's Office.

/s/ **MONICA A. KYLE, RMC, CMR**
MUNICIPAL CLERK

Monica A. Kyle

Nicholas M. Russo/Mayor

James P. Leeds, Sr/Commissioner

Daniel Lawler/ Commissioner

**BOROUGH OF LONGPORT
RESOLUTION 2023-14
A RESOLUTION AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY**

WHEREAS, the Borough of Longport is the owner of certain surplus property: and

WHEREAS, the property is no longer needed for public use; and

WHEREAS, the Governing Body of the Borough of Longport is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Longport, County of Atlantic, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals.com pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold attached as Exhibit A:
- (5) The Borough of Longport reserves the right to accept or reject any bid submitted.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk’s Office.

DATE OF ADOPTION:
1/18/2023

/s/ MONICA A. KYLE, MUNICIPAL CLERK

EXHIBIT A

INV #	DESCRIPTION	VIN NUMBER
1	1999 GMC SIERRA – PICK UP	2GTEK19T7X1523632
1	2018 KIA FORTE – FOUR DOOR	3KPFK4A79JE210127

Russo						
Leeds						
Lawler						

Date: 1.18.2023

certified by _____

Monica Kyle, RMC, Municipal Clerk

BOROUGH OF LONGPORT

Resolution # 2023-13

A Resolution Appointing Members of the 125th Anniversary Celebration Committee

WHEREAS the Borough of Longport is comprised of residents dedicated to enhancing the safety, beautification and community spirit of the Borough; and,

WHEREAS on March 7, 2023, the Borough of Longport will be celebrating its 125th Anniversary of Incorporation; and

WHEREAS the Board of Commissioners of the Borough of Longport would like to involve all members of the community, including original members of the 100th Anniversary Celebration Committee, in commemorating this historic event; and

WHEREAS, the Board of Commissioners would like to memorialize the time and dedication of these individuals;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Longport that a 125th Anniversary Celebration Committee be appointed to help plan programs and events to mark this special celebratory year; and,

BE IT FURTHER RESOLVED THAT the members of the 125th Anniversary Celebration Committee are as follows:

- Nick Russo, Longport Mayor
- Scott Porter, Borough Administrator
- Mindy Bell
- Ellen Cohen
- Joanne Davidow
- Betty Devereaux
- Joseph DiLorenzo
- Angel DiPentino
- Trish English
- Lee Karlock
- Debra Kelly
- Mary Kreiser
- Suzy Lawler
- Ilene Matthews
- John Murphy
- Patricia Murphy
- Likie Nika
- Mary T. Nugent
- Michelle Perna
- Chrissy Roche
- Dolores Wilson

	Motion	Second	Yes	Nay	Abstain	Absent
Russo						
Leeds						
Lawler						

Date: 1/18/2023

Certified by _____
Monica A. Kyle, RMC, Municipal Clerk

BOROUGH OF LONGPORT
R2023-15

**A RESOLUTION ADOPTING RULES AND REGULATIONS FOR BEACH VENDING, ADOPTING TERMS
AND CONDITIONS OF LICENSURE AND GIVING NOTICE FOR THE SALE OF A BEACH VENDING
LICENSE**

WHEREAS, the Board of Commissioners (the "Commission") of the Borough of Longport (the "Borough") have determined that it is in the interest of the Borough to adopt rules and regulations for beach vending in conjunction with Borough Ordinance and Resolutions;

WHEREAS, the Commission has further determined that it is in the interest of the Borough to expose for sealed bid one (1) exclusive beach vending license (the "License") for the 2023 summer season subject to the Borough's option to extend as set forth in this resolution; and

WHEREAS, the Commission has determined it is in the interest of the Borough to adopt terms and conditions of licensure concerning the issuance of the License.

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

1. The forgoing recitals are incorporated herein as if set forth herein at length. The notice of the sealed bid shall be in content substantially similar to the notice attached to this resolution.

2. The Municipal Clerk shall accept sealed bids on or before 2:00 p.m. on **February 7, 2023** ("Bid Due Date") in the Commission Chambers at 2305 Atlantic Ave, Longport, New Jersey for the award of one (1) License which will permit the holder thereof ("Licensee") to sell water and ice cream type products as more particularly described on the attached schedule of products and prices ("Schedule of Products and Prices") on the Borough's beaches between 36th Avenue and 11th Avenue for the 2023 summer season commencing May 15, 2023 and terminating October 14, 2023 ("2023 Vending Season"). No bids will be accepted after 2:00 p.m. on the Bid Due Date.

3. The minimum bid which shall be acceptable to the Borough shall be Twenty-seven Thousand (\$27,000.00) Dollars ("Minimum Bid") which shall be applied on account of the successful bid (the "License Fee"). If the License Fee exceeds the

Minimum Bid, then the successful bidder shall pay the balance of the License Fee within five (5) days following the adoption of a resolution awarding the License. The Borough reserves the right to adjourn or cancel the sealed bid without prior notice and to reject any and all bids prior to the acceptance of a winning bid by subsequent resolution. The Borough reserves the right to accept the next highest bid in the event the previous highest bid is subsequently rejected for any reason.

4. The Bidder shall include with the bid a certified check (Surety Deposit) in the amount of Two Thousand Dollars (\$2,000.00) made payable to the Borough. At 2:00 p.m. on the Bid Due Date, the Municipal Clerk will open the bids received by 2:00 p.m. and announce the highest bidder ("Successful Bidder") and that bidder's Surety Deposit shall be retained by the Borough. The deposits of the unsuccessful bidders shall be returned within five (5) days of the Bid Due Date or, if the Successful Bidder's bid or application is rejected/not approved, then to the Successful Bidder within ten (10) days of notice of such rejection/disapproval. Under no circumstances shall interest be due or payable to any bidder.

5. Issuance of the License to the Successful Bidder shall be subject to post bid completion and award of a Registration Certificate as set forth by Ordinance §132-2 et. seq. Successful Bidder must submit necessary documents and undergo background check as required to obtain a Registration Certificate within 30 days of notice they are the Successful Bidder.

6. The Borough will offer the Licensee the opportunity to automatically renew the Beach Vending License for the 2024 beach season at 5% increase over the 2023 successful bid. The Licensee will need to again apply and be awarded a Registration Certificate as set by Ordinance §132-2 et. seq and abide by all other aspects of this Resolution.

7. The Licensee shall be subject to the following additional terms, conditions, rules and regulations:

(a) The Licensee may have helpers/employees assist with the sale of approved products on the Borough's Beaches. No more than five (5) helpers/employees, plus one (1) Licensee, if more than one (1) Licensee is approved, may vend on the beach at any one time. Every effort shall be made to employ residents of the Borough as helpers/employees.

(b) The Licensee and the helpers/employees shall wear clean, neat and white clothing at all times while vending on the Borough's beaches, free of commercial advertising, except for promoting products being sold.

(c) Pursuant to Ordinance §61-6 helpers/employees are also required to submit to a background investigation by the Borough's Police Department. No helper/employee of the Licensee may begin working on the Borough's beaches until the Borough's Police Chief, in his reasonable discretion, has issued a no negative finding report for such helper/employee.

(d) THE SCHEDULE OF PRODUCTS AND PRICES IS ANNEXED HERETO AND MADE A PART HEREOF. LICENSEE EXPRESSLY AGREES THAT (i) LICENSEE MAY NOT SELL ANY OTHER PRODUCTS THAN THOSE LISTED ON THE SCHEDULE OF PRODUCTS AND PRICES AND (ii) THE MAXIMUM PRICES FOR PRODUCTS TO BE SOLD SHALL NOT EXCEED THE PRICES FOR THE PRODUCTS AS SHOWN ON THE ATTACHED SCHEDULE. THE BOROUGH RESERVES THE RIGHT TO AMEND THE SCHEDULE OF PRODUCTS AND PRICES AT ANY TIME BY RESOLUTION OF THE COMMISSION.

(e) The provisions of Borough ordinances relating to vending on Borough beaches are incorporated herein as if set forth at length herein. To the extent that any of the terms of this resolution expressly conflict with the provisions of said ordinances, the provisions of the ordinances shall prevail, and the remaining terms of this resolution and the rules and regulations shall remain in full force and effect.

(f) Licensee shall comply with all Federal, State, County and Local laws, rules and regulations. Licensee shall register with the Atlantic County Board of Health and provide proof of registration to the Borough by April 1, 2023. Licensee shall allow inspection of its products and equipment by Federal, State, County and Local Officials at any time to insure compliance with the terms of the License.

(g) Licensee shall complete the (i) Disclosure Statement (Public Law 1977, Chapter 33) and (ii) Non-Collusion Affidavit available from the Borough Clerk and deliver same simultaneously with the Deposit.

(h) Containers ("Containers") used by Licensee to transport on the Borough's beaches the approved products to be sold on the Borough's beaches shall be carried or moved on non-motorized wheeled carts substantially similar to those used by past Licensees. Any container to be used is subject to inspection by the Commissioner responsible for Public Works who in his/her reasonable discretion may reject and

prohibit the use of such container. Licensee shall not establish any stationary stand or other structure for the sale of products pursuant to the License but shall at all times maintain sales from mobile containers stopping only to consummate individual sales.

(i) Licensee shall cause a copy of the License to be displayed on each Container while such Container is in use on the Borough's beaches. Licensee shall, and shall ensure that its helpers/employees conduct themselves in a manner that is not offensive, annoying or intimidating. Licensee and its employees are prohibited from using loud bells, whistles or horns to sell their products. Licensee and/or its helpers/employees may employ verbal means to sell their products.

(j) The Licensee shall indemnify and save the Borough harmless from and against any and all losses, suits, cost damages, claim expense actions, liabilities or judgments whatsoever (including attorney's fees) because of accident or injury sustained or alleged to have sustained by any party or parties, person or persons, property or properties occurring in conjunction with the operations under the license or by reason of the use of defective items/services furnished or delivered under the beach vending by or on account of any act of omission or commission of any Licensee, her, his, its, or their agents or employees. In the case of any action being brought against the Borough, the licensee shall immediately take charge of and defend same at her, his, its, or their own cost and expense. The Borough may, if it so desires, defend such action and charge the expense thereof to the licensee. The Licensee is required to carry liability insurance in the minimum amount of \$1,000,000 or other amount approved by the Borough covering and insuring the Borough as aforesaid. The Licensee shall deliver to the Borough a certificate of insurance naming the Borough as an additional insured, with a 30-day cancellation clause after the award of the bid. A true copy of the insurance policy shall also be delivered to the Borough.

(k) Licensee's license may be terminated or suspended at any time. Reasons for termination or suspension of the License shall include, but not be limited to, the following conduct by Licensee or its helpers/employees: (a) disorderly conduct; (b) conduct demonstrating a state of moral turpitude; (c) making material false statements in the application or background check for the License; (d) violation of the terms and conditions of this resolution; (e) sales of products at an other than approved location or from an unapproved Container; (f) sales of unapproved products; (g) sales in excess of maximum permitted prices; or (h) disposing of debris or boxes in an unapproved manner. Adequate notice and a hearing before a hearing officer appointed by the Borough Mayor shall be given prior to permanent revocation of the License. A License may be temporarily suspended for good cause prior to a hearing for permanent revocation.

(l) Licensee shall not assign, pledge, lease, rent, sub-lease or sell his/her right, title or interest in the License or any portion thereof during the term of the license, without the prior written approval of the Borough which may be withheld for any reason.

(m) The price of all products for sale shall be prominently posted on the box or container used for the sale of products.

(n) Site Plan approval is required for a storage/distribution location in the Borough of Longport. Licensee shall comply with the Borough of Longport Zoning Ordinance, all Motor Vehicle Laws and regulations and Longport Parking Ordinances with regard to receiving, storing or delivering water and ice cream products. No water or ice cream products shall be received, stored or delivered in a Longport residential zone unless specifically permitted by the Longport Zoning Ordinance.

(o) Those vending on Longport Beaches must adhere to the Center for Disease Control and Prevention (CDC) Guidelines and any Executive Orders from the Governor of NJ as to use of protective devices to help stop the spread of COVID-19. This may include, but is not limited to, the wearing of face coverings, social distancing, frequent handwashing and use of gloves.

DATE: 1/18/2023

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V.	AB	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

I, Monica Kyle, Municipal Clerk for the Borough of Longport, Atlantic County, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Governing Body of the Borough of Longport at a meeting of said Commission held on January 18, 2023, and said resolution was adopted by not less than a two-thirds vote of the members of the Commission.

Monica Kyle, Municipal Clerk

SCHEDULE OF PRODUCTS AND MAXIMUM PRICES
FOR VENDING ON LONGPORT BEACHES

<u>Product</u>	<u>Maximum Price</u>
1. Water – small 8 oz.	\$1.50
2. Water – medium 16.9 oz.	\$2.00
3. Water – large sport top	\$3.00
3. Single Bar Popsicle	\$2.00
4. Flavored Ice, Double Bar Popsicle, Fudgesicle	\$2.50
5. Italian Water Ice	Small: \$2.50 Large: \$3.50
6. Ice Cream Sandwich	Regular: \$2.50 Giant: \$3.50
7. Frozen Fruit Bar	FruitStix : \$3.00 FrozeFruit: \$3.50
7. Specialty premium items such as Chipwich, Space Bar, etc.	3 oz. - \$3.50 3.5 oz - \$4.00
8. Choco Taco	\$4.00
9. Bomb Pop	\$2.50

THE BOROUGH OF LONGPORT RESERVES THE RIGHT TO AMEND THE SCHEDULE OF PRODUCTS AND PRICES AT ANY TIME BY RESOLUTION.

BOROUGH OF LONGPORT

**NOTICE OF SEALED BIDS FOR THE SALE
OF A BEACH VENDING LICENSE 2023 SEASON**

PLEASE TAKE NOTICE the Borough of Longport shall receive sealed bids with bids being opened on **February 7, 2023 at 2:00 p.m.** in Commission Chambers located at 2305 Atlantic Ave, Longport, New Jersey for the award of ONE EXCLUSIVE LICENSE to sell water, ice cream and ice-cream related products on Borough of Longport beaches between 36th Avenue and 11th Avenue for a term of one year commencing May 15, 2023 and terminating October 14, 2023 pursuant to Resolution # 2023-15. **THE MINIMUM ACCEPTABLE BID IS TWENTY SEVEN THOUSAND (\$27,000.00) DOLLARS** which shall be applied on account of the winning bid. The successful bidder must make full payment within five (5) DAYS following the adoption of a resolution awarding the license. The Borough of Longport reserves the right to adjourn or cancel the bid opening without prior notice and to reject any and all bids.

Copies of Bid Specifications may be obtained **from the Municipal Clerk's Office**, 2305 Atlantic Avenue, Longport, N.J. 08403 (609-823-2731, Ext. 100) on or after January 19, 2023 during Regular Business Hours (9:00 AM to 4:00 PM) Monday through Friday (Municipal Holidays excluded). Bid Packages may also be obtained through email requests to clerk@longport-nj.us by providing all Vendor Contact Information (Name and Address of Company, Officer/Owner Contact Person, telephone, and email).

All bids shall be delivered in a sealed envelope addressed to the attention of the Municipal Clerk, c/o Municipal Clerk's Office, Borough of Longport, 2305 Atlantic Avenue, Longport, N.J. 08403. The Bid Envelope shall bear the Name and Address of the Bidder on the outside and be clearly marked with the words 'Bid Enclosed' together with the name of the bid **"Beach Vending License 2023 Season."**

NOTICE IS HEREBY GIVEN THAT VETERANS ARE PERMITTED, IN ACCORDANCE WITH NEW JERSEY STATE LAW, TO VEND ICE CREAM AND ICE CREAM PRODUCTS, IN NON-MOTORIZED VEHICLES, AT THE BEACH BLOCK STREET ENDS OF THE BOROUGH OF LONGPORT.

PLEASE TAKE FURTHER NOTICE that each bidder shall include with the Bid a certified check (Surety/Deposit) in the amount of Two Thousand Dollars (\$2,000.00) made payable to the Borough of Longport. The deposits of the unsuccessful bidders shall be returned within ten days of the awarding of the License. Under no circumstances shall interest be due or payable to any bidder. The Resolution authorizing the license bid contains additional terms and conditions which are incorporated herein and made a part hereof.

**BOROUGH OF LONGPORT
RESOLUTION 2023-16**

EMERGENCY TEMPORARY APPROPRIATION 2023

WHEREAS, an emergent condition has arisen with respect to providing appropriations for various appropriations, and no adequate provision has been made in the 2023 temporary appropriations for the aforesaid purposes, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2021 pursuant to the provision of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total:

CURRENT FUND \$2,247,845.20

NOW, THEREFORE, BE IT RESOLVED (by not less than 2/3 of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

An emergency temporary appropriation be and the same is hereby made for the 2023 budget as follows:

CURRENT FUND \$90,000.00

That said emergency temporary appropriation will be provided for in 2023 under the title of, as per the attached schedule:

CURRENT FUND \$90,000.00

That one certified copy of this resolution be filed with the Director of Local Government Services.

Appropriation Amount	Additional	Total Temp Budget
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Other Code Enforcement	SW	\$20,000.00	\$20,500.00
Construction	SW	\$10,000.00	\$82,000.00
Cap Imp – DPW Vehicle	OE	\$60,000.00	\$60,000.00

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners that the above-listed appropriation be authorized immediately. All resolutions or parts of resolutions inconsistent herewith are hereby repealed and this resolution shall take effect immediately.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF ADOPTION:
1/18/2023

/s/ Monica Kyle, RMC, Municipal Clerk

**BOROUGH OF LONGPORT
COUNTY OF ATLANTIC
RESOLUTION 2023-17**

A RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING AGREEMENTS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A: 11-12a and NJAC 5:34-7.29(c)

WHEREAS, the Borough of Longport, pursuant to N.J.S.A.40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contract entered into on behalf of the State Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the Borough of Longport has the need to on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Borough of Longport intends to enter into a contract with Winner Ford Contract # T-210 (A88726) in amount not to exceed \$60,875.00 through this resolution and properly executed contracts, which shall be subject to all conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Longport authorizes the Purchasing Agent to purchase a 2023 Ford F250 Pick Up Truck from Winner Ford Contract # T-210 (A88726) in an amount not to exceed \$60,875.00, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOVED, that the Governing Body of the Borough of Longport, pursuant to N.J.A.C. 5:30-5.5(b) the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods and services are ordered or otherwise call for prior to placing the order for a 2023 Ford F250 Pick Up Truck from Winner Ford, and a certification of availability of funds is made by the Chief Financial Officer.

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk’s Office.

DATE OF ADOPTION: 1/18/2023

/s/ MONICA KYLE, RMC, MUNICIPAL CLERK

BOROUGH OF LONGPORT

RESOLUTION 2023-18

AUTHORIZING A REFUND for a CONSTRUCTION PERMIT

WHEREAS, the below listed company paid for a permit for new railings and stairs in 2022 for 115 So. 12th Avenue; and

WHEREAS, the homeowner decided not to go forward with the work; and

WHEREAS, a proper investigation was conducted that the work was not completed and it was determined that a refund would be in order; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Longport that the following payment be returned to the company in the form of a refund.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded for processing to the Chief Financial Officer by the Borough Clerk.

Permit#	Company	Amount	Year
20220036	West Paton Construction 2031 Hartel Avenue Philadelphia, PA 19152	2940.00	2022

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE						
COMMISSION	AYE	NAY	N.V	AB.	MOT.	SEC.
RUSSO						
LEEDS						
LAWLER						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF ADOPTION: 1-18-2023

/s/ MONICA A. KYLE, RMC, MUNICIPAL CLERK