A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, April 27, 2016 at 7:39 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - - - - - - 18 Reporters - - - - - - - - - - 2

The meeting was called to order by Council Vice President Hudanich.

 Roll call: Council President Dean Absent

 Councilman Burns Present

 Councilman Covington Present

 Council Vice President Hudanich Present

 Councilman McCorristin Present

Also present:

Scott Wahl, Business Administrator

James Waldron, Assistant Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

Paul Short, Code Enforcement Official

William Macomber, Director of Public Works/Utilities

William McCormick, Chief of Police

Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC

Council Vice President Hudanich read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included in the Annual Schedule of

Meetings dated June 24, 2015. It was given to the news media and posted on the Official Bulletin Board as required by law.

Minutes:

 Work Session, Agenda Session, Regular Meeting – March 23, 2016

 Motion made by Councilman Covington, seconded by Councilman McCorristin that the minutes be approved as submitted.

ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Aye

 Councilman McCorristin Aye

 Council President Dean Absent

Work Session, Agenda Session, Regular Meeting – April 13, 2016

 Motion made by Councilman McCorristin, seconded by Councilman Burns that the minutes be approved as submitted.

ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Abstain

 Councilman McCorristin Aye

 Council President Dean Absent

Public comments regarding Resolutions:

None.

Resolution No. 78-2016: A RESOLUTION AUTHORIZING KEN’S SHORE THING LLC TO CONSTRUCT, AT ITS SOLE COST AND EXPENSE, CERTAIN IMPROVEMENTS TO AN UNIMPROVED PORTION OF FOURTH AVENUE AT ITS INTERSECTION WITH 24TH STREET IN THE BOROUGH OF AVALON IN THE COUNTY OF CAPE MAY AND STATE OF NEW JERSEY AND IMPOSING CERTAIN TERMS AND CONDITIONS GOVERNING SUCH PROJECT AND SUBJECT TO CERTAIN CONTINGENCIES

Motion made by Councilman Covington, seconded by Council Vice President Hudanich that the resolution be adopted.

ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Aye

 Councilman McCorristin Aye

 Council President Dean Absent

Resolution No. 79-2016: A RESOLUTION APPROVING 2016 JITNEY LICENSES FOR A TERM OF ONE (1) YEAR COMMENCING JANUARY 2, 2016 THROUGH JANUARY 1, 2017

 Motion made by Council Vice President Hudanich, seconded by Councilman McCorristin that the resolution be adopted.

ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Aye

 Councilman McCorristin Aye

 Council President Dean Absent

Resolution No. 80-2016: A RESOLUTION AUTHORIZING PAYMENT OF

 BILLS

 Motion made by Councilman Covington, seconded by Councilman Burns that the resolution be adopted.

ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Aye

 Councilman McCorristin Aye

 Council President Dean Absent

Introduction and first reading by title only of Ordinance No. 738-2016:

 Motion made by Councilman Burns, seconded by Councilman McCorristin that Ordinance No. 738-2016 be brought on for first reading by title only.

ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Aye

 Councilman McCorristin Aye

 Council President Dean Absent

Borough Clerk to read aloud Ordinance No. 738-2016:

Ordinance No. 738-2016:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTERS 9 AND 10 OF THE CODE OF THE BOROUGH OF AVALON, 2013 PERTAINING TO HAWKERS AND PEDDLERS AND JITNEY SERVICE AND AMENDING ORDINANCE NO 673-2013 AND ORDINANCE NO. 698-2014

 Motion made by Councilman Burns, seconded by Councilman McCorristin that Ordinance No. 738-2016 be passed on first reading and advertised according to law.

 ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Aye

 Councilman McCorristin Aye

 Council President Dean Absent

Reports and Recommendations by Mayor and Officials:

Reports of Officials:

Scott Wahl gave the following report:

Peermont Project: The Peermont Substation construction project remains on time and on schedule. There are two transformers inside the Substation. The first transformer will be energized on Sunday, May 8th; the second transformer will be energized on Sunday, May 15th. All of the cables have been tested. On Monday, April 25th, approximately 50 members of both the Avalon and Stone Harbor volunteer fire departments received a walking tour of the Substation so they can become familiar with it in the event of a fire or other issue. Over the next four weeks various curbs and sidewalks will be repaired, fencing removed from the Substation, the exterior of the building with scenic lighting will be finished. There are no planned power outages as a result of the transfer of the 7 Mile Beach from receiving electricity offshore to having it produced on the island. The portable transformer has been safely placed at Bay Park Marina and will be removed and the area restored once the Substation is operating in safe and efficient condition.

Chuck McDonnell: We always like to report on employees furthering their education. Recreation Director Chuck McDonnell has successfully completed his Master’s Degree in Information Technology and will receive his diploma from Richard Stockton University in a few weeks. Chuck has been volunteering at the Avalon Free Public Library, teaching classes on social media for seniors.

Avalon Police: The Avalon Police Department will again participate in a drug take back program in association with the Drug Enforcement Agency. Residents are encouraged to take their unwanted, unused prescription medication to the Public Safety Building this Saturday from 10am-2pm.

Movie: We have been working with a movie production company for the filming of a new movie called *“Wetlands”* that will be distributed nationwide. Chief McCormick, Mr. McDonnell, and Bill Macomber have all been involved in assisting the company film part of the movie with lead actors in a private home on Fifth Avenue. The final day of filming was today and the production crew is departing the Borough today.

Sewer Project: West Bay Construction has essentially completed the very necessary work in front of Avalon Community Hall that will solve the sewer flow issues to the building. The next phase of work for the company is moving to the southern part of Dune Drive from 78th-80th streets which, by contract, must be completed by May 25th. The final repaving of Dune will occur in October, 2016.

Beach Patrol: We have a final meeting at 10:00am tomorrow with Captain Wolf regarding the coalescing the operational principals of the Avalon Beach Patrol. We are producing one standard document that clarifies, with laser-like precision, the responsibilities, duties, practices, policies and principals of the Beach Patrol that has existed in different documents. On a parallel note, Mr. Waldron and me have been working on suggested revisions to the Avalon Personnel Policy Manual which is updated every two years; we are very near ready to have a meeting with our Labor Counsel Nicole Curio to gather her thoughts and input before we ask for your review and consideration.

Flood Plain Management Update: We had a very engaging presentation from Mott MacDonald regarding an innovative plan that will translate flooding and storm surge forecasts for Avalon property owners that will assist in the translation of various storm forecasts into real-time predicted conditions for Avalon. It has been a major initiative by our Committee to help with this translation process. We also had a conference call with Howard Marlowe from Warwick Consulting yesterday where me and Tom Thornton were both introduced to potential funding and technical assistance partnerships that may assist the Borough if we move forward with this project.

Council Vice President Hudanich inquired if the movie is non-profit, if it will be circulated in movie theaters and asked for a summary of the thematic content within the movie.

Scott Wahl reported the movie is a profitable movie and will be shown in movie theaters nationwide. He explained the movie is about a retired Philadelphia Police Officer who relocates to the Jersey Shore and opens a surf shop in an attempt to try and get his life back together. In the movie, he enters into a relationship with a South Jersey News Anchor that owns a home in Avalon. In the movie, the town where she owns a home is called Cape Atlantic and Avalon is not mentioned in the film.

Councilman McCorristin suggested exploring the possibility of opening a surfing beach on the south end be discussed in the upcoming meeting with Beach Patrol Captain Murray Wolf.

Monthly Reports:

Month of March 2016:

Borough Clerk and Registrar’s Report submitted by Marie J. Hood.

Bureau of Fire Prevention, Licensing, Miscellaneous Construction Collection,

Construction Water and Sewer, Uniform Construction Code, Taxicab, Beach Vehicle Reports submitted by John Tracy.

Code Enforcement Report submitted by Paul E. Short, Sr.

Municipal Court Report submitted by Deborah Scott.

Police Department Report submitted by Chief William McCormick.

Public Works Department Report submitted by William Macomber.

Recreation Operations Report submitted by Chuck McDonnell.

Tax Collector & Water/Sewer Control Account submitted by Connie L. DiCola.

Zoning Report submitted by Jeffrey R. Hesley.

Motion made by Councilman McCorristin, seconded by Council Vice President Hudanich that the reports be approved.

ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Aye

 Councilman McCorristin Aye

 Council President Dean Absent

Pending business.

None.

New business

None.

Public Comments:

Frank McLaughlin, 261 47th Street, referenced the Japanese Black Pine trees marked for cutting through the Southern Pine Beetle Grant on the dune path and raised concerns that the trees being marked are healthy trees and the clear cutting of trees may be causing erosion. He spoke in opposition of clear cutting Japanese Black Pine trees and suggested the Borough look into an independent study to evaluate whether the trees have been affected by the Southern Pine Beetles prior to removing any marked trees.

Council Vice President Hudanich explained any removed trees will be replaced with native plants.

Elaine Scattergood, 75 30th Street, spoke in support of preserving the beach trails and dunes.

Scott Wahl read into the record the details of the grant and noted the Borough does not support the clear cutting of trees.

Jim Waldron noted when a study was conducted by Mr. Lomax and the implementation was submitted, it was explained that infected trees would be expired by the end of the year. The study shows the beetle infestation is more severe in some areas, and the infestation is threatening both infected trees and surrounding trees.

Council Vice President Hudanich inquired if flags were placed on infected trees.

Jim Waldron stated it is his understanding that flagged trees are considered to be infected, and the flags were placed by Lomax and Associates after the study was completed. The Public Works Department will be removing the marked trees.

Council Vice President Hudanich asked when the trees will be removed.

Bill Macomber reported trees that pose a threat to public safety are an immediate priority, while other trees may not be removed until after the summer season.

Council Vice President Hudanich requested a report be submitted to Council regarding the number of trees marked for removal as well as which trees are considered an immediate risk.

Jim Waldron clarified that Mr. Lomax has indicated that an assessment of the trees infected by the Southern Pine Beetles is also being conducted in conjunction with the annual spring assessment of the dune vegetation management plan. Some of the trees marked for removal may be covered by the dune vegetation plan, which will need to be clarified.

Robert Pellini, 6426 Greenan Road, spoke in support of statements made by Frank McLaughlin and raised concerns that the lack of shade on the dunes may pose problems for beachgoers. He also expressed concerns regarding erosion of the dunes.

Resolution:

Resolution No. 81-2016: A RESOLUTION TO CONDUCT A CLOSED SESSION PURSUANT TO N.J.S.A. 10:4-12.b OF THE OPEN PUBLIC MEETINGS ACT PERTAINING TO PERSONNEL CONCERNING AN AMENDMENT TO THE SALARY ORDINANCE AND PENDING LITIGATION CONCERNING COUNCIL ON AFFORDABLE HOUSING

Motion made by Councilman Burns, seconded by Councilman Covington that the resolution be adopted.

 ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Aye

 Councilman McCorristin Aye

 Council President Dean Absent

Council Vice President Hudanich stated no action will be taken after the Closed Session.

Motion made by Council Vice President Hudanich, seconded by Councilman Burns to recess the public portion of the Regular Meeting and go into Closed Session.

 ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Aye

 Councilman McCorristin Aye

 Council President Dean Absent

Public portion of the Regular Meeting recessed at 8:18 p.m.

 Motion made by Councilman McCorristin, seconded by Councilman Burns to adjourn the Closed Session and go back into public portion of the Regular Meeting.

 ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Aye

 Councilman McCorristin Aye

 Council President Dean Absent

Public Portion of Regular Meeting reconvened at 8:42 p.m.

Present:

 Councilman Burns

 Councilman Covington

 Council Vice President Hudanich

 Councilman McCorristin

Scott Wahl, Business Administrator

 James A. Waldron, Assistant Business Administrator

 Stephen D. Barse, Esquire, Borough Solicitor

Motion made by Councilman Burns, seconded by Councilman Covington to adjourn the Regular Meeting.

 ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Aye

 Councilman McCorristin Aye

 Council President Dean Absent

Regular Meeting adjourned at 8:43 p.m.

 Respectfully submitted,

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 Marie J. Hood, Borough Clerk

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 Richard E. Dean, Council President