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February 10, 2016

 A Work Session of the Borough Council of the Borough of Avalon was held on

Wednesday, February 10, 2016 at 4:00 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

 Attendance: Public -------------------- 3 Reporters ----------------------- 2

 The Meeting was called to order by Council President Dean.

Pledge of allegiance.

 Roll call: Council President Dean Present

 Councilman Burns Present

 Councilman Covington Present

 Council Vice President Hudanich Absent

 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

Police Chief William McCormick

James V. Craft, Chief Financial Officer

Chuck McDonnell, Recreation Director

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

 Notice of this Work Session 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.

 Council President Dean read the Open Public Meetings Act Announcement.

Discussion regarding Resolution authorizing transfer of 2015 appropriations.

James V. Craft, Chief Financial Officer, explained there were electric bills from December which need to be paid and money needs to be transferred from other utility line items.

Council agreed to proceed with a Resolution at the Regular Meeting this afternoon.

Discussion regarding Resolution authorizing payment to Hatch Mott Macdonald for additional scope of work pertaining to the 2014 Back Bay Maintenance Dredging Project.

Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC, briefly explained the additional work was for State and Federal permitting in order to proceed with dredging of boat slips in the channels north of 30th Street and allow dredging beyond December 31st since the flounder restriction was lifted which allows the dredging to continue through March 15th.

Councilman Covington, asked if all permits had been received.

Mr. Thornton, responded yes.

Council agreed to proceed with a Resolution to be prepared for the February 24, 2016 Regular Meeting.

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Discussion regarding kayak park regulations.

Scott Wahl, Business Administrator, said beginning in 2014 there was a seasonal registration for property owners to temporarily store kayaks at 57th Street with 216 berths and the racks were constructed by the Department of Public Works. He said today marks one year since Chuck McDonnell was hired as the Borough’s Recreation Director and since has had the chance to have communications with the public, recreation advisory committee, safety committee to see how the rules and regulations have worked over the last year. He said around that time suggested improvements to the registration process were brought before Council such as moving from 2 kayak berths to 1 kayak berth for 2015 for the successful applicants. He added it is not the intent to come before Council every year to change the rules and regulations at the park but felt it was appropriate to allow Mr. McDonnell to get a year under his belt with communicating with the public to see if the changes made from 2014 to 2015 worked in the publics favor. He said Chuck has met with the Recreation Advisory Committee, myself and Mr. Waldron to address safety issues and ways to improve customer service. He said specifically an issue that was addressed was the occasion practice of double stacking kayaks in the individuals berths, and after discussions with the JIF, Ed Dean, Safety Official and Mr. Macomber and it was decided that should not be an allowable practice for safety concerns and the integrity of the berths.

Chuck McDonnell, Recreation Director explained how the process worked in 2014. He said registration was held for one day, online and in person at Community Hall. He said this created an issue, since it actually came down to the second because of the online process and people standing in line did not get a berth because of the online registrations happening simultaneously. He said in 2015 it was determined to go to one berth per residency and the registration process was modified. He received mainly positive feedback from the residents appreciating the change from 2 berths to 1 and minimal negative. He added at this point the Borough is investigating other possible locations for future kayak storage racks.

Councilman McCorristin, asked how many applications were received last year.

Mr. McDonnell, responded approximately 260.

Councilman McCorristin, stated if the Borough decided to go back to 2 berths, that could possibly reduce to 108 individuals awarded a berth if 2 berths weren’t taken. He said that is less than half the available spots of those whom would like the enjoyment if the Borough goes back to the 2 berth scenario for one household. He said it would be difficult to cut the spots available in half and feels there would be considerable more complaints if a change was made.

Councilman Burns asked how many people had 2 berths in 2014.

Mr. McDonnell, indicated it was significantly high; over half.

Councilman Covington said in 2015 the recreation department completed an analysis of the number of resident properties that used the kayak park with 2 berths and it was close to 50%. He said there was a discussion by Council last year that it the spirit of fairness to the residents it made sense to go to 1 berth for the enjoyment of all residents of the kayak park. He does not agree with changing back to 2 berths.

Councilman Burns, suggests the Borough continue to work on locations for additional spots to resolve the issue.

Mr. Wahl, agreed. He said demand outweighs supply at this point and the Borough is identifying short and long term solutions.

Council agreed not to increase from 1 to 2 berths.

Councilman Covington questioned a new definition for the term property in the draft Ordinance.

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James A Waldron, Assistant Business Administrator apologized that was an error on his part. He said when this was discussed with recreation staff, there was a misunderstanding that commercial property owners were eligible for this program and they are not. He said please disregard the definition.

Councilman Covington, questioned the language in section 9-12.8 concerning parties ineligible to participate in the lottery.

Mr. Waldron, said the concept is any applicant or any household that has a kayak violation from a previous season, limited only to kayak violations, is not eligible to participate until those prior violations are cleared up.

Council agreed to have further discussion at the February 24, 2016 Work Session with Introduction of an Ordinance amendment at the Regular Meeting.

Discussion regarding Resolution establishing Tennis Court Rules and Regulations.

Chuck McDonnell, said he would like to Council to consider clarifying the language concerning the reservation process regarding the word completion and suggested it changed to 7:15 am. He said there has been some confusion. He stated there are resident and non- resident permit holders and times when courts can be reserved for resident permit holders begins at 7:00 am and the word “completion” was for non-resident permit holders to reserve court times upon when the line handling residents was complete or the courts were full.

Councilman Covington has no problem changing the language to 7:15 am as long as people in line to book those courts continue with the same process that started at 7:00 am; 1st come 1st serve taxpayer permit owner first, non-taxpayer permit owners after them; so there is no change in procedure.

Mr. McDonnell, responded it was not the intent to change the procedure; just to clarify completion.

Councilman McCorristin commented on a different subject concerning limited parking at the History Center and suggested information be sent out to inform the public of parking reserved for History Center only.

Mr. Wahl, indicated a meeting was held today concerning the 2016 Information guide and that can be included in that publication.

Council agreed to proceed with a Resolution to be prepared for the February 24, 2016 Regular Meeting.

Discussion regarding Resolution approving release of performance guarantee for property located at 405 & 407 20th Street.

Council briefly discussed this matter and agreed to proceed with a Resolution to be prepared for the February 24, 2016 Regular Meeting.

Discussion regarding Ordinance amending Chapter 2 of the Avalon Borough Code concerning the appointment process for Municipal Prosecutor and Municipal Public Defender.

James A. Waldron, Assistant Business Administrator, stated this amendment will bring the Ordinance into compliance with the State Statute and to the practice that has been followed within the Borough for some period of time. He said the Municipal Judge by statute is appointed by the Mayor with advice and consent of Borough Council and the Municipal Prosecutor and Public Defender appointed by the governing body consistent with local ordinances, laws and regulations. He said this year the Mayor recommended an Assistant Municipal Prosecutor and this Ordinance amendment will create this position.

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Council had no problem with the amendments and agreed to proceed with an Ordinance to be introduced at the February 24, 2016 Regular Meeting.

Discussion regarding Resolution authorizing Professional Services Contract with Municipal Advisers, LLC for consulting services.

James A. Waldron, Assistant Business Administrator, stated the Borough’s Municipal Judge retired in December. He said the Administration is recommending Council consider a one year Professional Services Contract with Municipal Advisers and the principal of that firm is George Neidig. He indicated there are services which can be provided to the Borough such as review of certain police ordinances; streamlining procedures and consulting with the Chief and senior officers in the Police Department and also to provide a benefit to the Borough with obligations under COAH because of the strict guidelines and timeframe. He said financially the cost of this contract is actually less than 2015 Municipal Court services. He stated this contract is for a lump sum of $26,000 to be paid quarterly and the services are needed and believes they will be advantageous to the Borough.

Council had no problem with the Contract and agreed to proceed with a Resolution at the Regular Meeting this afternoon.

Public Comments:

None.

Motion made by Councilman McCorristin, seconded by Councilman Covington to adjourn the Work Session.

 ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Council Vice President Hudanich Absent Councilman McCorristin Aye

 Council President Dean Aye

Work Session adjourned at 4:40 p.m.

 Respectfully submitted,

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 Marie J. Hood, Borough Clerk

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 Richard E. Dean, Council President