

August 28, 2013

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, August 28, 2013 at 7:31 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - 1 Reporters - - - - - 1

The meeting was called to order by Council President Ellenberg.

| | | |
|-------------------|----------------------------------|---------|
| <u>Roll call:</u> | Council President Ellenberg | Present |
| | Council Vice President Covington | Present |
| | Councilman Dean | Present |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Present |

Also present:

Andrew J. Bednarek Business Administrator
Steven Fabietti, Esquire, Acting Borough Solicitor
James V. Craft, Director of Revenue/Finance
Police Chief William McCormick
William Macomber, Director of Public Works/Utilities
Scott Wahl, Public Information Officer
Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC
Harry de Butts, Deputy Emergency Management Coordinator
Jonathan Atwood, Representative of Senator Jeffrey Van Drew’s Office

Council President Ellenberg read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included in the Annual Schedule of Meetings dated June 12, 2013. 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 – July 24, 2013

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

| | | |
|------------------------|----------------------------------|--------|
| <u>ROLL CALL VOTE:</u> | Council Vice President Covington | Aye |
| | Councilman Dean | Aye |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Aye |
| | Council President Ellenberg | Aye |

There are no Closed Session Minutes to release for July 24, 2013.

Public comments regarding Resolutions:

None.

| | |
|---------------------------------|---|
| <u>Resolution No. 150-2013:</u> | A RESOLUTION AUTHORIZING PARTICIPATION IN THE NATIONAL COOPERATIVE CONTRACT WITH US COMMUNITIES GOVERNMENT PURCHASING ALLIANCE VENDORS FOR THE CALENDAR YEAR 2013 |
|---------------------------------|---|

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

August 28, 2013

| | | |
|------------------------|----------------------------------|--------|
| <u>ROLL CALL VOTE:</u> | Council Vice President Covington | Aye |
| | Councilman Dean | Aye |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Aye |
| | Council President Ellenberg | Aye |

Resolution No. 151-2013: A RESOLUTION FURTHER AMENDING RESOLUTION NO. 116-2001, ADOPTED JUNE 13, 2001 ENTITLED "A RESOLUTION ESTABLISHING AN INCENTIVE BONUS FOR BEACH PATROL LIFEGUARDS"

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

| | | |
|------------------------|----------------------------------|--------|
| <u>ROLL CALL VOTE:</u> | Council Vice President Covington | Aye |
| | Councilman Dean | Aye |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Aye |
| | Council President Ellenberg | Aye |

Resolution No. 152-2013: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

| | | |
|------------------------|----------------------------------|--------|
| <u>ROLL CALL VOTE:</u> | Council Vice President Covington | Aye |
| | Councilman Dean | Aye |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Aye |
| | Council President Ellenberg | Aye |

Reports of Officials:

Update re: Grant Application to the Open Space Review Board for Recreation facilities and Beach/Dune Nature Trail Paths.

Andrew J. Bednarek, Business Administrator reported that he, Scott Taylor, Professional Planner and Dr. Brian Reynolds, Chairman, Avalon Environmental Commission presented applications on Tuesday to the Cape May County Open Space Review Board. He commented that the Borough has applied for a total of \$390,000.00 of which \$365,000.00 would be for 39th Street recreation facility improvements and \$25,000.00 for Beach/Dune Trail Paths. He indicated that there is synergy between the recreation and environmental components of this project with consistency and linkage to eco-tourism. He added that the applications are replete with support letters from the business and civic community which will weigh in the Borough's favor. These applications were thoroughly vetted at the Recreation Advisory Committee and the Avalon Environmental Commission. He informed Council that they will know if these applications are approved by October 8, 2013.

August 28, 2013

Monthly Reports:

Month of July, 2013:

Borough Clerk and Registrar's Report submitted by Amy W. Kleuskens.
Bureau of Fire Prevention, Licensing, Miscellaneous Construction Collection, Construction Water and Sewer, Uniform Construction Code, Jitneys and Taxicab Reports submitted by John Tracy.
Capital Projects Report submitted by Hatch Mott Macdonald, LLC.
Code Enforcement Report submitted by Paul E. Short, Sr.
Municipal Court Report submitted by George B. Neidig, Jr.
Police Department Report submitted by Chief William McCormick.
Public Works Department Report submitted by William Macomber.
Recreation Division Report submitted by Recreation Personnel.
Tax Collector Control Account Report submitted by Connie L. DiCola.
Zoning Report submitted by Jeffrey R. Hesley.

Motion made by Councilman Dean, seconded by Council President Ellenberg that the reports be received and filed.

| | | |
|------------------------|----------------------------------|--------|
| <u>ROLL CALL VOTE:</u> | Council Vice President Covington | Aye |
| | Councilman Dean | Aye |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Aye |
| | Council President Ellenberg | Aye |

Pending business:

None.

New business:

None.

Public Comments:

None.

Resolution:

Resolution No. 153-2013: 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 ATTORNEY CLIENT PRIVILEGE, CONTRACT NEGOTIATION AND PERSONNEL REGARDING STATUS OF NEGOTIATION WITH MIDDLE TOWNSHIP OF SHARED SERVICES AGREEMENT FOR THE REMOVAL OF DREDGED MATERIAL FROM GRAVEN'S ISLAND CONFINED DISPOSAL FACILITY CONTRACT M-96, SHARED SERVICES AGREEMENT WITH STONE HARBOR FOR POLICE DISPATCH SERVICES AND MUNICIPAL CLERK/ REGISTRAR AND DEPUTY MUNICIPAL CLERK/ DEPUTY REGISTRAR POSITIONS

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

August 28, 2013

| | | |
|------------------------|----------------------------------|--------|
| <u>ROLL CALL VOTE:</u> | Council Vice President Covington | Aye |
| | Councilman Dean | Aye |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Aye |
| | Council President Ellenberg | Aye |

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

| | | |
|------------------------|----------------------------------|--------|
| <u>ROLL CALL VOTE:</u> | Council Vice President Covington | Aye |
| | Councilman Dean | Aye |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Aye |
| | Council President Ellenberg | Aye |

Public portion of Regular Meeting recessed at 7:40 p.m.

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

| | | |
|------------------------|----------------------------------|--------|
| <u>ROLL CALL VOTE:</u> | Council Vice President Covington | Aye |
| | Councilman Dean | Aye |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Aye |
| | Council President Ellenberg | Aye |

Public portion of Regular Meeting reconvened at 8:54 p.m.

Discussion regarding bids received for the removal of dredged material from Graven's Island Confined Disposal Facility Contract M-96.

Thomas R. Thornton, P.E. reviewed the bids received for this contract.

Discussion followed and Council agreed to proceed with Resolutions awarding the contract to South State, Inc. for the base bid and a portion of Item S1 representing 30,000 cubic yards and authorizing construction engineering services, to be voted upon at the Regular Meeting this evening.

Resolutions:

Resolution No. 154-2013: A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH SOUTH STATE, INC. OF BRIDGETON, NJ FOR THE REMOVAL OF DREDGED MATERIAL FROM GRAVEN'S ISLAND CONFINED DISPOSAL FACILITY, CONTRACT M-96, TO INCLUDE THE BASE BID IN THE AMOUNT OF THREE MILLION ONE HUNDRED SEVENTY-FIVE THOUSAND (\$3,175,000.00) DOLLARS AND A PORTION OF ITEM S1 REPRESENTING 30,000 CY, IN THE AMOUNT OF SIX HUNDRED SIXTY THOUSAND (\$660,000.00) DOLLARS FOR A TOTAL AMOUNT OF THREE MILLION EIGHT HUNDRED THIRTY-FIVE THOUSAND (\$3,835,000.00) DOLLARS

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

August 28, 2013

| | | |
|------------------------|----------------------------------|--------|
| <u>ROLL CALL VOTE:</u> | Council Vice President Covington | Aye |
| | Councilman Dean | Aye |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Aye |
| | Council President Ellenberg | Aye |

Resolution No. 155-2013: A RESOLUTION AUTHORIZING HATCH MOTT MACDONALD, LLC. TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR THE REMOVAL OF DREDGED MATERIAL FROM GRAVEN'S ISLAND CONFINED DISPOSAL FACILITY CONTRACT M-96 ON A REIMBURSABLE BASIS FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND (\$150.000.00) DOLLARS

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

| | | |
|------------------------|----------------------------------|--------|
| <u>ROLL CALL VOTE:</u> | Council Vice President Covington | Aye |
| | Councilman Dean | Aye |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Aye |
| | Council President Ellenberg | Aye |

Motion made by Council President Ellenberg, seconded by Council Vice President Covington to adjourn the Regular Meeting.

| | | |
|------------------------|----------------------------------|--------|
| <u>ROLL CALL VOTE:</u> | Council Vice President Covington | Aye |
| | Councilman Dean | Aye |
| | Councilwoman Hudanich | Absent |
| | Councilman McCorristin | Aye |
| | Council President Ellenberg | Aye |

Regular Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Amy W. Kleuskens, Borough Clerk

David B. Ellenberg, Council President