

September 11, 2013

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, September 11, 2013 at 7:15 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - 4 Reporters - - - - - 1

The meeting was called to order by Council President Ellenberg.

Roll call:

Council President Ellenberg	Present
Council Vice President Covington	Present
Councilman Dean	Present
Councilwoman Hudanich	Present
Councilman McCorristin	Present

Also present:

Andrew J. Bednarek Business Administrator
Stephen D. Barse, Esquire, Borough Solicitor
Captain David McCallion
William Macomber, Director of Public Works/Utilities
John Tracy, Construction Official
Salvatore J. DeSimone, Flood Plain Manager
Scott Wahl, Public Information Officer
Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC

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.

Public comments regarding Resolutions:

None.

Resolution No. 156 -2013: A RESOLUTION APPROVING SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR RECONSTRUCTION OF DUNE DRIVE, 77TH STREET TO 80TH STREET (SOUTH BOUND LANE)

Resolution No. 157-2013: A RESOLUTION AUTHORIZING HATCH MOTT MACDONALD, LLC TO PREPARE AND SUBMIT AN APPLICATION FOR NJDOT MUNICIPAL AID FY2014, RECONSTRUCTION OF DUNE DRIVE SOUTH BOUND LANE, 77TH STREET TO 80TH STREET FOR A FEE OF SEVEN HUNDRED (\$700.00) DOLLARS

Motion made by Councilman Dean, seconded by Councilwoman Hudanich that the resolutions be adopted.

ROLL CALL VOTE:

Council Vice President Covington	Aye
Councilman Dean	Aye
Councilwoman Hudanich	Aye
Councilman McCorristin	Aye
Council President Ellenberg	Aye

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Resolution No. 158-2013: A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS, (N.J.S.A. 40A:4-87), STATE OF NEW JERSEY, DRIVE SOBER OR GET PULLED OVER 2013 STATEWIDE LABOR DAY CRACKDOWN GRANT FROM THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY

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	Aye
	Councilman McCorristin	Aye
	Council President Ellenberg	Aye

Resolution No. 159-2013: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

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

Reports of Officials:

Update by Stephen D. Barse, Esquire, Borough Solicitor regarding Resort House Ordinance.

Stephen D. Barse, Esquire, Borough Solicitor reported that Ordinance No. 683-2013 amending Chapter 27 (Zoning) regarding a definition for "Resort House" was voted down on August 14, 2013. Since then there has been a meeting to draft a new Ordinance, which has been prepared by William Kearns, Esquire. The draft Ordinance will be posted on the Borough website for public review. On October 11, 2013 there will be a meeting with Realtors, COPEHA and the general public. On October 23, 2013 there will be a presentation at the Council Work Session, followed by introduction of an Ordinance.

Councilwoman Hudanich commented that posting a draft Ordinance on the website prior to introduction is deviating from the norm and expressed concern that the document should be in a PDF format with a water mark so it can't be changed.

Stephen D. Barse, Esquire responded that the document will have a disclaimer.

Councilwoman Hudanich suggested that the document not be in the format of an Ordinance.

Stephen D. Barse, Esquire assured Council he will make sure all these concerns are addressed.

Public Comments:

None.

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Resolution:

Resolution No. 160-2013: 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 AND PERSONNEL REGARDING FLOOD MAPS AND POSSIBLE RESOLUTION AND HIRING OF DEPUTY MUNICIPAL CLERK/DEPUTY REGISTRAR OF VITAL STATISTICS

Motion made by Council President Ellenberg, 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	Aye
	Councilman McCorristin	Aye
	Council President Ellenberg	Aye

Motion made by Councilwoman Hudanich, seconded by Councilman McCorristin 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	Aye
	Councilman McCorristin	Aye
	Council President Ellenberg	Aye

Council President Ellenberg announced that there would probably be no formal action taken following the Closed Session this evening.

Public portion of Regular Meeting recessed at 7:22 p.m.

Motion made by Councilman Dean, seconded by Council President Ellenberg 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	Aye
	Councilman McCorristin	Aye
	Council President Ellenberg	Aye

Public portion of Regular Meeting reconvened at 8:43 p.m.

Resolution:

Resolution No. 161-2013: A RESOLUTION ADOPTING THE CAPE MAY COUNTY, NEW JERSEY PRELIMINARY WORK MAPS DESIGNATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PANELS 0251, 0252, 0253 AND 0254

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	Aye
	Councilman McCorristin	Aye
	Council President Ellenberg	Aye

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Motion made by Councilwoman Hudanich, seconded by Council President Ellenberg to adjourn the Regular Meeting.

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

Regular Meeting adjourned at 8:44 p.m.

Respectfully submitted,

Amy W. Kleuskens, Borough Clerk

David B. Ellenberg, Council President