

August 14, 2013

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, August 14, 2013 at 7:02 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 140

Reporters ----- 2

The Meeting was called to order by Council President Ellenberg.

Pledge of allegiance.

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

Also present:

Mayor Martin L. Pagliughi
 Andrew J. Bednarek Business Administrator
 Stephen D. Barse, Esquire, Borough Solicitor
 Police Chief William McCormick
 William Macomber, Director of Public Works/Utilities
 Paul E. Short, Sr., Code Enforcement Officer
 Scott Wahl, Public Information Officer
 Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC
 Scott D. Taylor, CLA, AICP, PP, Professional Planner and Landscape Architect
 for the Borough of Avalon
 William J. Kearns, Jr., Esquire
 Dr. Brian Reynolds, Chairman, Avalon Environmental Commission

Notice of this Work Session 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.

Council President Ellenberg read the Open Public Meetings Act Announcement.

Swearing in of Mark Glassford, Joseph Duda and Nicholas Brady as Patrolmen by Mayor Martin L. Pagliughi.

Mayor Martin L Pagliughi swore in Mark Glassford, Joseph Duda and Nicholas Brady as Patrolmen of the Avalon Police Department.

Discussion regarding Resolution appointing Patrolmen for the Borough of Avalon.

Council discussed with Police Chief William McCormick the new requirement from the New Jersey Police Training Commission and the Cape May County Police Academy that a Resolution be adopted appointing the Patrolmen of the Borough of Avalon. Council agreed to proceed with a Resolution to be voted upon at the Regular Meeting this evening.

Discussion regarding the following Resolutions:

Authorizing the Borough of Avalon to accept a 2013 Drive Sober Or Get Pulled Over Statewide Labor Day Crackdown Grant from the New Jersey Division of Highway Traffic Safety in the amount of four thousand four hundred (\$4,400.00) dollars.

Supporting the Drive Sober Or Get Pulled Over 2013 Statewide Crackdown.

Council discussed these items briefly with Police Chief McCormick and agreed to proceed with a Resolution to be voted upon at the Regular Meeting this evening.

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Discussion regarding amendment to the curfew Ordinance.

Police Chief McCormick explained his recommendation to lower the curfew from 12:00 a.m. to 10:00 p.m. to help reduce the juvenile bicycle traffic.

Discussion followed.

Discussion regarding Extension of Premises for Whitebrier Beach Club, Inc., t/a Whitebrier, 255 21st Street and Z21 Corp, t/a Princeton Grille, Sea Grille and Circle Tavern for an Oktoberfest to be held on October 5, 2013.

Council reviewed the applications submitted by Whitebrier Beach Club, Inc., t/a Whitebrier and Z21 Corp, t/a Princeton, Sea Grille and Circle Tavern. The Police Chief, Detective Sergeant, Fire Chief and Code Enforcement Official also reviewed and signed off on this event provided they abide by the same special conditions as last year. Council approved the applications with the following special conditions to be imposed:

Special Conditions for Z21 Corp, t/a Seagrille, Princeton Grill & Circle Tavern:

1. The time of the Extension of Premises Permit shall be from 11:00 a.m. to 7:00 p.m.
2. Any and all necessary State, County and Borough permits and/or approvals will be obtained for this event, including but not limited to, any tent over 30'x30', if a temporary stage is constructed for the band and if cooking of food is to be done outside.
3. Live music shall be permitted from 1:30 p.m. to 5:00 p.m. Amplified music shall be permitted from 12:00 p.m. to 7:00 p.m.
4. There shall be no more than two (2) vendor tents put together and there shall be a minimum of a five (5) foot separation between one (1) or two (2) tent set ups.
5. Alcoholic beverages shall only be permitted in "Oktoberfest" mugs or "Green Ware" plastic cups. Non-alcoholic beverages shall only be permitted in original cans or bottles.
6. There shall be a minimum of three (3) Identification check stations for alcohol located separate from the bars and wristbands shall be required.
7. Clean up from the event shall begin at 7:00 p.m. and shall include 20th and 21st Streets between Dune Drive and Ocean Drive, the 20th Street Municipal Parking Lot, Veteran's Plaza and the 9/11 Memorial.

Special Conditions for Whitebrier Beach Club, Inc., t/a Whitebrier:

1. The time of the Extension of Premises Permit shall be from 11:00 a.m. to 7:00 p.m.
2. Any and all necessary State, County and Borough permits and/or approvals will be obtained for this event, including but not limited to, any tent over 30'x30', if a temporary stage is constructed for the band and if cooking of food is to be done outside.
3. Live music shall be permitted from 1:30 p.m. to 5:00 p.m. Amplified music shall be permitted from 12:00 p.m. to 7:00 p.m.
4. There shall be no more than two (2) vendor tents put together and there shall be a minimum of a five (5) foot separation between one (1) or two (2) tent set ups.
5. Alcoholic beverages shall only be permitted in "Oktoberfest" mugs or "Green Ware" plastic cups. Non-alcoholic beverages shall only be permitted in original cans or bottles.
6. There shall be a minimum of three (3) Identification check stations for alcohol located separate from the bars and wristbands shall be required.

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7. Applicant shall ensure that the Whitebrier property Fire Department Connection (FDC) is accessible by the Avalon Volunteer Fire Department.
8. Clean up from the event shall begin at 7:00 p.m. and shall include 20th and 21st Streets between Dune Drive and Ocean Drive, the 20th Street Municipal Parking Lot, Veteran's Plaza and the 9/11 Memorial.

Discussion regarding Resolution authorizing the Business Administrator of the Borough of Avalon to submit applications to the Cape May County Open Space Review Board for the 39th Street Community Park Improvements and Park/Recreation Development for the 44th Street and 48th Street Dune and Beach Trail Project.

Scott D. Taylor, CLA, AICP, PP, Professional Planner and Landscape Architect for the Borough of Avalon reviewed the proposed projects with input from Mr. Bednarek and Dr. Brian Reynolds.

Dr. Brian Reynolds, Chairman, Avalon Environmental Commission commented that Avalon has one of the few mature maritime forests.

Council Vice President Covington questioned whether the Historical Society should be added to the grant application for landscaping of that area.

Andrew J. Bednarek responded that William Macomber, Director of Public Works/Utilities and Lynne Schwartz will be meeting to discuss dressing up the Historical Society property. He also indicated that the Avalon Home and Land Owners Association want a more regional approach with help from the County.

Discussion regarding Resolution authorizing a professional services contract with William John Kearns, Jr., Esquire, Kearns, Reale & Kearns of Willingboro, NJ as Special Counsel for Land Use and other related matters for the Borough of Avalon for a term of five (5) months commencing August 1, 2013 through December 31, 2013.

Council discussed the appointment of Mr. Kearns briefly and agreed to proceed with a Resolution to be voted upon at the Regular Meeting this evening.

Discussion regarding Resolution authorizing participation in the National Cooperative Contract with US Communities Government purchasing alliance vendors for the calendar year 2013.

Council discussed this item briefly and agreed to proceed with a Resolution to be prepared for the August 28, 2013 Regular Meeting.

Discussion regarding Resolution re: compliance of the governing body with promulgation of the Local Finance Board of the State of New Jersey.

Council discussed this item briefly and agreed to proceed with a Resolution to be voted upon at the Regular Meeting this evening.

Public comments:

Martha Wright, 632 7th Street commented (audio recording was malfunctioning. Comments not available.)

Motion made by Council Vice President Covington, seconded by Council President Ellenberg to adjourn the Work Session.

<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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Work Session adjourned at 7:35 p.m.

Respectfully submitted,

Amy W. Kleuskens, Borough Clerk

David B. Ellenberg, Council President