

October 11, 2017

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, October 11, 2017 at 4:55 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - 4                      Reporters - - - - - 2

The meeting was called to order by Council President McCorristin.

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

Also present:

Scott Wahl, Business Administrator  
James Waldron, Assistant Business Administrator  
Stephen D. Barse, Esquire, Borough Solicitor  
William Macomber, Director of Public Works/Utilities  
Police Captain Jeffrey Christopher  
James V. Craft, Chief Financial Officer  
Paul E. Short, Sr., Code Enforcement Officer  
Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC  
John Cuthbert, Representative, AHLOA

Council President McCorristin read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included in the Annual Schedule of Meetings dated June 28, 2017. It was given to the news media and posted on the Official Bulletin Board as required by law.

Public comments regarding Resolutions:

None.

<u>Resolution No.</u> 154-2017:	A RESOLUTION AUTHORIZING THE BOROUGH'S PARTICIPATION IN THE HOUSTON – GALVESTON AREA COUNCIL OF GOVERNMENTS NATIONAL COOPERATIVE PURCHASING PROGRAM (HGAC-BUY) FOR CONTRACT #DR09-17, DISASTER DEBRIS CLEARANCE & REMOVAL SERVICES WITH PHILLIPS & JORDAN, INC.
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Motion made by Councilwoman Hudanich, seconded by Councilman Covington that the resolution be adopted.

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

Resolution No. 155-2017: A RESOLUTION OF REAPPOINTMENT OF MARIE J. HOOD TO THE POSITION OF MUNICIPAL CLERK FOR AN ADDITIONAL THREE (3) YEAR TERM

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

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

Resolution No. 156-2017: A RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS REGARDING THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS ACT

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

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

Resolution No. 157-2017: A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF TEN THOUSAND (\$10,000.00) DOLLARS TO PARTICIPATE IN THE SOUTHERN SHORE REGIONAL DMO PROGRAM

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

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

Resolution No. 158-2017: A RESOLUTION AMENDING THE CASH MANAGEMENT PLAN OF THE BOROUGH OF AVALON FOR THE YEAR 2017

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

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

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Resolution No. 159-2017: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

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

Introduction and first reading by title only of Ordinance No. 764-2017:

Motion made by Council President McCorristin, seconded by Councilwoman Hudanich that Ordinance No. 764-2017 be brought on for first reading by title only.

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

Borough Clerk to read aloud Ordinance No. 764-2017:

Ordinance No. 764-2017:

AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF THE BOROUGH OF AVALON, 2013 (LICENSES AND PERMITS) SECTION 10-4 (HAWKING AND PEDDLING) AND CHAPTER 9 OF SAID CODE (PARKS, BEACHES AND RECREATION FACILITIES) TO PROHIBIT HAWKING, PEDDLING AND VENDING TRUCKS WITHIN THE BOROUGH OF AVALON WITH CERTAIN EXCEPTIONS FOR VETERANS AND EXEMPT FIREMEN AND AMENDING THE FOLLOWING ORDINANCES: 655-2012, 695-2014, AND 738-2016

Motion made by Council President McCorristin, seconded by Councilwoman Hudanich that Ordinance No. 764-2017 be passed on first reading and advertised according to law.

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

Reports of Officials:

Scott Wahl read the following report:

Update from the Tax Assessor: We have received the certification of added assessments for the 2017 tax year. This certification confirms our assessments for all new construction for the year. The total assessments came in at \$69,182,300. Prior year and omitted assessments totaled \$8,648,400. The total taxes raised for these amounts are \$117,053.08. Once again my staff did an outstanding job of processing each permit to maximize our outcome. In addition, the reassessment is on schedule. We have completed the field inspections and are preparing the maintenance and valuation phase of the project. We anticipate mailing preliminary value letters to property owners in late November, early December.

Marina Litigation: As Borough Council is aware, on September 26, 2017 the New Jersey Supreme Court denied the Borough's Petition for Certification and further denied the Borough's appeal as of right regarding the litigation involving Avalon Anchorage Marina. Superior Court Judge Julio Mendez ordered mediation and invited the Borough to participate in that mediation. We can report that mediation is an ongoing endeavor, and we are pleased to work with the mediator, Mr. Travis Marshall, and the Avalon Planning and Zoning Board towards a meaningful and acceptable resolution for all parties. We are strictly bound by the confidentiality of this mediation and cannot comment publically on the proceedings.

Trick or Treat: It has been declared by Mayor Pagliughi that Trick or Treating in the Borough shall occur on Halloween, Tuesday October 31<sup>st</sup>, between the hours of 5:00-8:00pm. The Avalon Department of Recreation will be holding its popular Trunk or Treat event in the parking lot adjacent to Community Hall on Saturday, October 28<sup>th</sup>, from 5:00-7:00pm. Participation by vehicles is still being accepted, with details available on the municipal website.

South Jersey Gas/Ocean Drive Project: Work is beginning this week on the South Jersey Gas improvement project in the Borough; details about the work will be posted on a special link on the municipal website. We have received the mailings and door hangars that are in the hands of property owners and have posted those materials on our website as well. Mathis Construction continues with the water and sewer improvement project along Ocean Drive. This week much of the work is concentrated on 40<sup>th</sup> Street where a new manhole is being installed and a dewatering operation is in place

Upcoming Meetings: Tomorrow morning the Borough will participate with the Avalon Chamber of Commerce and the 7 Mile Business and Community Association on planning for Festive Friday, Tree Lightning, Festival of Trees, and Snowfest Saturday events on Thanksgiving weekend. Next Tuesday, County Engineer Dale Foster has invited the Borough to a meeting at the County Administration Building regarding an upcoming railing replacement project on the Townsend's Inlet Bridge; I intend to attend that meeting.

Atlantic Cape Coastal Coalition: Last week, Mayor Pagliughi and I met with Tom Quirk from the Atlantic Cape Coastal Coalition. Mr. Quirk presented the Borough with several educational initiatives that will better inform the public regarding flood prone areas and flood risk. He asked Avalon to take an even advanced leadership position in these new endeavors for which Avalon enthusiastically agreed. We have a meeting involving Dr. Farrell, Tom Thornton and our flood management staff Friday morning to discuss the implementation of one of those initiatives that we will be excited to present at a Council meeting in the coming weeks.

Sustainable Jersey: I am pleased to report that the Sustainable Jersey Program has approved Avalon for another three-year certification in the program. The Borough will be recognized at an upcoming luncheon in Atlantic City. This effort was made possible by the continual efforts to gather documents and provide information by Planning Board member Michele Petrucci, and by Nina Ranalli from the History Center. I completed the initial task myself six years ago to attain Avalon's first certification and I can tell you personally it is a very arduous process.

Councilman Covington asked if Scott Wahl has an approximate closing date for Townsend's Inlet Bridge for the railing replacement.

Scott Wahl responded he does not have that information as of yet, however is hoping to be informed at the meeting on Tuesday, October 17, 2017.

Councilwoman Hudanich noted it is her understanding that the bridge will not be closing for the work, and will be operating with single lane traffic.

Councilman Covington asked that clarification be requested from the County Engineer.

Public Comments:

None.



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Resolution No. 160-2017:

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 PENDING LITIGATION CONCERNING BOROUGH OF AVALON VS THE MARINA AT AVALON ANCHORAGE, LLC., ATTORNEY CLIENT PRIVILEGE AND PENDING LITIGATION CONCERNING JOAN T. NARRIGAN, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF ROBERT D. NARRIGAN AND BARLEY DUNES 67<sup>TH</sup> LLC. DOCKET NO. CPM-L-000266017 VS BOROUGH OF AVALON, AND ATTORNEY CLIENT PRIVILEGE CONCERNING EASEMENT REALIGNMENT FOR BLOCK 7.07 LOT 138 (576 7<sup>TH</sup> STREET) AND BLOCK 7.08 LOT 140.01 (606 7<sup>TH</sup> STREET)

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

ROLL CALL VOTE:

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

Motion made by Councilman Covington, seconded by Councilman Dean to recess the public portion of the Regular Meeting and go into Closed Session.

ROLL CALL VOTE:

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

Council President McCorristin announced there will be no action taken after the Closed Session.

Public portion of the Regular Meeting recessed at 5:05 p.m.

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

ROLL CALL VOTE:

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

Public Portion of Regular Meeting reconvened at 6:08 p.m.

Present:

Full Council  
Scott Wahl, Business Administrator  
James A. Waldron, Assistant Business Administrator  
Stephen D. Barse, Esquire, Borough Solicitor

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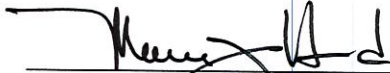
Motion made by Councilwoman Hudanich, seconded by Council President McCorristin to adjourn the Regular Meeting.

ROLL CALL VOTE:

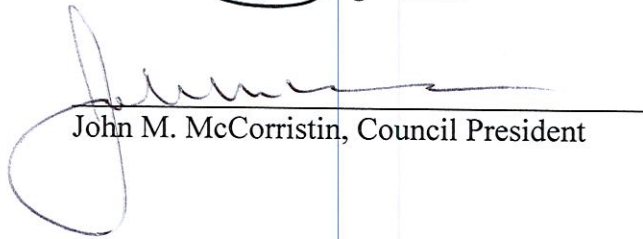
Councilman Covington	Aye
Councilman Dean	Aye
Council Vice President Deever	Aye
Councilwoman Hudanich	Aye
Council President McCorristin	Aye

Regular Meeting adjourned at 6:08 p.m.

Respectfully submitted,



Marie J. Hood, Borough Clerk



John M. McCorristin, Council President