A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, October 26, 2016 at 8:25 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 Hudanich.

Roll call: Council President Hudanich Present

Councilman Burns Present

Councilman Covington Present

Councilman Dean Present

Council Vice President McCorristin 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

Jeffrey Christopher, Captain of Police

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

Council President Hudanich read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included in the Annual Schedule of

Meetings dated June 22, 2016. It was given to the news media and posted on the Official Bulletin Board as required by law.

Council President Hudanich read the following Proclamation into the record:

WHEREAS, tonight we extend our congratulations to Mayor Martin L.

Pagliughi and his lovely wife Lynda Pagliughi as they are

being honored by the Garden State Council, Boy Scouts of

America, as Distinguished Citizens of 2016, and

WHEREAS, Marty and Lynda, have always demonstrated their unselfish

dedication, generosity and humanitarianism, to all they come

in contact with on a daily basis, and

WHEREAS, they have both always placed the concerns and needs for the

public good ahead of their personal interests.

THEREFORE, let it be resolved that Mayor Martin L. Pagliughi and his wife

Lynda Pagliughi, be recognized for their exceptional services,

and we the Avalon Borough Council members extend our

sincere appreciation for their many contributions to the Boy

Scouts of America, Cape May County and the Borough of

Avalon.

Minutes:

Work Session, Agenda Session, Regular Meeting, Closed Session – September 28, 2016

Work Session, Agenda Session, Regular Meeting, Closed Session – October 12, 2016

Motion made by Councilman Covington, seconded by Councilman Dean that the minutes be approved as submitted.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Public comments regarding Resolutions:

Martha Wright, 632 7th Street, referenced the proposed resolution establishing a policy concerning the use of video and slide presentations to Borough Council at public meetings and inquired if this Resolution will also apply to the Planning and Zoning Board.

Jim Waldron noted the Planning Board plans to adopt a similar Resolution.

Martha Wright raised a concern that if a member of the public would like to show visual images of areas of concern to be brought to Council’s attention during public comments would not be considered public comment by the Resolution’s definitions.

Jim Waldron explained any member of the public may, without prior notice, speak during a public comment portion of a public meeting. However, if a member of the public wishes to use the video equipment within the meeting room to make a presentation, that person must follow the parameters and guidelines set forth in the Resolution, and their presentation will be placed as an item on the agenda. He added any use of the video equipment would be considered a presentation to the public, and no longer considered as public comment.

Resolution No. 170-2016: A RESOLUTION ESTABLISHING A POLICY CONCERNING THE USE OF VIDEO AND SLIDE PRESENTATIONS TO BOROUGH COUNCIL AT PUBLIC MEETINGS AND THE USE OF BOROUGH VIDEO EQUIPMENT BY THE PUBLIC IN SUCH CIRCUMSTANCES

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Resolution No. 171-2016: A RESOLUTION AUTHORIZING AN EMERGENCY APPROPRIATION LESS THAN THREE (3) PERCENT TOTAL OPERATING APPROPRIATIONS

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Resolution No. 172-2016: A RESOLUTION AUTHORIZING RENEWAL OF THE CONTRACT WITH PHILLIPS & JORDAN, INC. OF ROBBINSVILLE, NC FOR BOROUGH CONTRACT NO. 14-01 R-2 POST EVENT DISASTER RECOVERY ASSISTANCE FOLLOWING A NATURAL OR MANMADE DISASTER FOR THE BOROUGH OF AVALON FOR AN ADDITIONAL ONE (1) YEAR COMMENCING NOVEMBER 1, 2016 THROUGH OCTOBER 31, 2017

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Resolution No. 173-2016: A RESOLUTION OF THE BOROUGH OF AVALON IN THE COUNTY OF CAPE MAY ADOPTING A FORM REQUIRED TO BE USED FOR THE FILING OF NOTICES OF TORT CLAIMS AGAINST THE BOROUGH OF AVALON IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY TORT CLAIMS ACT, N.J.S.A. 59:8-6

Motion made by Council President Hudanich, seconded by Councilman Burns that the resolution be adopted.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Resolution No. 174-2016: A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH BLANEY & KARAVAN, P.C., ATTORNEYS AT LAW OF NEW JERSEY AS SPECIAL LITIGATION COUNSEL AND FOR EXTRAORDINARY LEGAL MATTERS AND TO SERVE AS SPECIAL COUNSEL TO HANDLE RENTAL COMPLAINTS AND ISSUES RELATED THERETO FOR A ONE (1) YEAR TERM FROM JANUARY 1, 2017 TO DECEMBER 31, 2017

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Resolution No. 175-2016: A RESOLUTION AUTHORIZING PAYMENT OF

BILLS

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Introduction and first reading by title only of Ordinance No. 750-2016:

Motion made by Councilman Burns, seconded by Councilman Covington that Ordinance No. 750-2016 be brought on for first reading by title only.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Borough Clerk to read aloud Ordinance No. 750-2016:

Ordinance No.750-2016:

AN ORDINANCE AMENDING CHAPTER 27 (ZONING) OF THE CODE OF THE BOROUGH OF AVALON, 2013 PERTAINING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

Motion made by Councilman Burns, seconded by Councilman Covington that Ordinance No. 750-2016 be passed on first reading and advertised according to law.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Introduction and first reading by title only of Ordinance No. 751-2016:

Motion made by Council Vice President McCorristin, seconded by Councilman Dean that Ordinance No. 751-2016 be brought on for first reading by title only.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Borough Clerk to read aloud Ordinance No. 751-2016:

Ordinance No.751-2016:

AN ORDINANCE AMENDING SECTION 3(c) OF BOND ORDINANCE $722-15 AND PROVIDING A SUPPLEMENTAL APPROPRIATION OF $2,400,000 FOR THE OCEAN DRIVE SANITARY SEWER PROJECT IN AND BY THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF $2,280,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Motion made by Council Vice President McCorristin, seconded by Councilman Dean that Ordinance No. 751-2016 be passed on first reading and advertised according to law.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Reports and Recommendations by Mayor and Officials:

Reports of Officials:

Scott Wahl read the following report:

ACMJIF: The Atlantic County Municipal Joint Insurance Fund is holding its annual two day retreat in Ocean City today and tomorrow. This morning I attended the retreat and am pleased to report the JIF is having a very good year with its finances. As of August 31st, the JIF reports a surplus of $30.1 million and cash in hand at $53.5 million. This should result in no additional assessments on communities and maintains a future dividend stream for member municipalities. The standard for operational efficiency in a JIF is 20 cents on the dollar; our JIF reports today an efficiency of 11.4 cents on the dollar which is an outstanding performance. The JIF has a six year average loss ratio of 75.9 percent, which was skewed by a very bad year in 2010 when the JIF operated in the red at 118.1 percent. Due to various safety training and efforts, the loss ratio for 2016 is currently at 58.7 percent, which is the lowest since the down year in 2010. The surplus for the JIF has doubled in the past four years, and dividends to be returned to member communities will reach an all time high of $2.5 million in 2016. The JIF is operating very well.

Monthly Reports:

Month of September, 2016:

Borough Clerk and Registrar’s Report submitted by Marie J. Hood.

Bureau of Fire Prevention, Licensing, Miscellaneous Construction Collection,

Construction Water and Sewer, Uniform Construction Code and Beach Vehicle Reports submitted by John Tracy.

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 Operations Report submitted by Chuck McDonnell.

Tax Collector Control & Water/Sewer Control Account reports submitted by Connie L. DiCola.

Zoning Report submitted by Jeffrey R. Hesley.

Motion made by Councilman Covington, seconded by Council President Hudanich that the reports be approved.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Pending business.

None

New business

Scott Wahl announced Trick-or-Treat will be held October 31, 2016 from 5:00 p.m. to 8:00 p.m.

Public Comments:

None.

Motion made by Councilman Dean, seconded by Council President Hudanich to adjourn the Regular Meeting.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Regular Meeting adjourned at 8:53 p.m.

Respectfully submitted,

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Marie J. Hood, Borough Clerk

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John M. McCorristin, Council Vice President