

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, November 8, 2017 at 5:15 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - 6 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	Absent

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
Thomas R. Thornton, P.E., Borough Engineer, Mott Macdonald, LLC
Paul E. Short, Sr., Code Enforcement Officer
John Cuthbert, Representative, AHLOA
Dr. Stuart Farrell, Stockton Coastal Research Center
Dean Marcolongo, Esquire, Planning/Zoning Board Solicitor

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.

Resolution No. 166-2017: A RESOLUTION AUTHORIZING THE SCHEDULING OF A PUBLIC HEARING IN ACCORDANCE WITH N.J.S.A. 40:60-51.2 UPON APPLICATION FOR RELEASE OF CERTAIN DEED RESTRICTIONS IMPOSED UPON CERTAIN PROPERTY WITHIN THE BOROUGH OF AVALON, TO WIT: BLOCK 67.06, LOTS 26, 28, 53 AND 55 KNOWN AS 154 67TH STREET

Resolution No. 167-2017: A RESOLUTION AUTHORIZING THE SCHEDULING OF A PUBLIC HEARING IN ACCORDANCE WITH N.J.S.A. 40:60-51.2 UPON APPLICATION FOR RELEASE OF CERTAIN DEED RESTRICTIONS TO WIT: “NO BUILDING SHALL BE ERECTED ON THE PREMISES HEREIN CONVEYED SHALL BE OVER TWO STORIES IN HEIGHT” UPON THE PREMISES KNOWN AS BLOCK 17.01, LOT 12 (56 EAST 17TH STREET) AND BLOCK 17.01, LOTS 19.01, 19.02, 20.01 AND 20.02 (84 EAST 17TH STREET)

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

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

Resolution No. 168-2017: A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN ZONING AND CONSTRUCTION PERMIT FEES REGARDING BLOCK 7.08 LOTS 151 AND 152 AND OTHERWISE KNOWN AS 652 7TH STREET, AVALON, NEW JERSEY

Motion made by Councilman Dean, 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	Absent
	Council President McCorristin	Aye

Resolution No. 169-2017: A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH TRAFFIC LINES, INC. FOR BICYCLE ROUTE EXTENSION SIGNAGE AND STRIPING IMPROVEMENTS, CONTRACT M-106 IN THE AMOUNT OF EIGHTY-NINE THOUSAND NINE HUNDRED THIRTY-FIVE DOLLARS AND SIXTY-EIGHT CENTS (\$89,935.68)

Resolution No. 170-2017: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR BICYCLE ROUTE EXTENSION SIGNAGE AND STRIPING IMPROVEMENTS, CONTRACT M-106 ON A REIMBURSABLE BASIS FOR AMOUNT NOT TO EXCEED SIX THOUSAND ONE HUNDRED FORTY (\$6,140.00) DOLLARS

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

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

Resolution No. 171-2017: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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	Absent
	Council President McCorristin	Aye

Introduction and first reading by title only of Ordinance No. 765-2017:

Motion made by Councilman Dean, seconded by Council Vice President Deever that Ordinance No. 752-2017 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	Absent
	Council President McCorristin	Aye

Borough Clerk to read aloud Ordinance No. 765-2017:

Ordinance No. 765-2017:

AN ORDINANCE AMENDING CHAPTER 12 (ANIMAL CONTROL) OF THE CODE OF THE BOROUGH OF AVALON, 2013 SECTION 12-16 FERAL CATS, TRAP, NEUTER, RETURN (TNR) PROGRAM

Motion made by Councilman Dean, seconded by Council Vice President Deever that Ordinance No. 765-2017 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	Absent
	Council President McCorristin	Aye

Final Action by title only of Ordinance No. 764-2017:

Motion made by Council President McCorristin, seconded by Councilman Covington that Ordinance No. 764-2017 be taken off the table.

<u>ROLL CALL VOTE:</u>	Councilman Covington	Aye
	Councilman Dean	Aye
	Council Vice President Deever	Aye
	Councilwoman Hudanich	Absent
	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 Councilman Covington that Ordinance No. 764-2017 be finally adopted, submitted to the Mayor for approval and advertised according to law.

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

Reports of Officials:

Scott Wahl read the following report:

Townsend's Inlet Bridge: The Townsend's Inlet Bridge railing replacing project is drawing near. As previously reported, the bridge needs to be closed only during one overnight to allow for one lane of traffic being closed and a traffic signal device to control the one lane of open traffic. That closure is expected to occur this Friday starting at 10pm and be concluded Saturday by 5am. The railing replacement project will begin next week. There are not expected to be any additional bridge closures during this construction project; tolls will be waived on the bridge during the construction work and boat traffic will still be able to pass under the bridge.

Bid Opening: There will be a bid opening tomorrow morning in this room for the anticipated reconstruction of 39th Street in Avalon. The work will be done between Dune Drive and First Avenue. For the benefit of the public, Avalon was successful in obtaining a \$180,343 grant from the New Jersey Department of Transportation to finance this street project.

Veterans Day: A reminder that American Legion Post #331 and the Borough will hold a Veterans Day ceremony this Saturday, November 11th, at 1:00am at Veterans Plaza, 21st Street and Dune Drive.

Public Comments:

None.

Resolution No. 172-2017:

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 COUNCIL ON AFFORDABLE HOUSING AND ATTORNEY CLIENT PRIVILEGE AND PENDING LITIGATION CONCERNING BEACH LOT AT BLOCK 73.01, LOTS 62 & 64 REGARDING CLAIM OF INVERSE CONDEMNATION

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

ROLL CALL VOTE:

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

Motion made by Councilman Covington, seconded by Council Vice President Deever 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	Absent
Council President McCorristin	Aye

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

Public portion of the Regular Meeting recessed at 5:23 p.m.

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

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

Public Portion of Regular Meeting reconvened at 6:49 p.m.

Present:

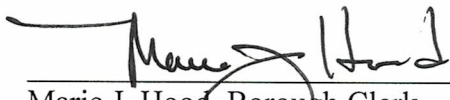
Council President McCorristin
Council Vice President Deever
Councilman Covington
Councilman Dean
Scott Wahl, Business Administrator
James A. Waldron, Assistant Business Administrator
Stephen D. Barse, Esquire, Borough Solicitor
Dean Marcolongo, Esquire, Planning/Zoning Board Solicitor

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

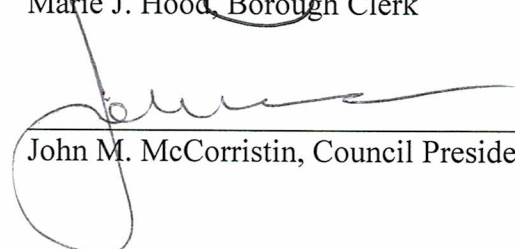
<u>ROLL CALL VOTE:</u>	Councilman Covington	Aye
	Councilman Dean	Aye
	Council Vice President Deever	Aye
	Councilwoman Hudanich	Absent
	Council President McCorristin	Aye

Regular Meeting adjourned at 6:50 p.m.

Respectfully submitted,



Marie J. Hood, Borough Clerk



John M. McCorristin, Council President