**7217**

January 28, 2015

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, January 28, 2015 at 8:02 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - - - - - - 5 Reporters - - - - - - - - - - 2

The meeting was called to order by Council President Covington.

 Roll call: Council President Covington Present

 Council Vice President Dean Present

 Councilman Ellenberg Present

 Councilwoman Hudanich Present

 Councilman McCorristin Present

Also present:

Scott Wahl, Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

William Macomber, Director of Public Works/Utilities

Captain Jeffrey Christopher

Paul Short, Code Enforcement Officer

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

Council President Covington read the Open Public Meetings Act Announcement.

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

Meetings dated June 25, 2014. It was given to the news media and posted on the Official Bulletin Board as required by law.

Minutes:

 Work Session, Agenda Session, Regular Meeting – December 17, 2014

 Work Session, Agenda Session, Regular Meeting, Closed Session – January 14, 2015

 Motion made by Councilman McCorristin, seconded by Councilwoman Hudanich that the minutes be approved as submitted.

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye

 Councilman McCorristin Aye

 Council President Covington Aye

Public comments regarding Resolutions:

None.

**7218**

January 28.2015

Resolution No. 26-2015: A RESOLUTION AUTHORIZING RELEASE OF

 CERTAIN CLOSED SESSION MINUTES OF THE

 BOROUGH OF AVALON FOR THE PERIOD OCTOBER 22, 2014 THROUGH NOVEMBER 25, 2014

 CONCERNING MATTERS THAT HAVE BEEN

 SETTLED OR CONCLUDED

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

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Resolution No. 27-2015: A RESOLUTION DESIGNATING THE PROTECTED BATHING BEACHES FOR 2015 DESIGNATING BEACHES FOR THE USE OF

 RAFTS, SURFING BEACHES AND AREAS WHERE VOLLEYBALL WILL BE PERMITTED; AND DETERMINING THE DATES DURING WHICH LIFEGUARDS WILL BE ON DUTY

 Motion made by Councilman Ellenberg, seconded by Councilman McCorristin that the resolution be adopted.

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Resolution No. 28-2015: A RESOLUTION AUTHORIZING THE

 RELEASE OF CERTAIN RENTAL BONDS

 POSTED WITH THE BOROUGH OF AVALON

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

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

**7219**

January 28, 2015

Resolution No. 29-2015: A RESOLUTION AUTHORIZING THE TAX

 ASSESSOR TO FILE CROSS APPEALS AND/OR

 MUNICIPAL APPEALS ON BEHALF OF THE

 BOROUGH OF AVALON

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

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Resolution No. 30-2015: A RESOLUTION AUTHORIZING EXTENSION

 OF A SHARED SERVICES AGREEMENT

 BETWEEN THE BOROUGH OF AVALON AND

 THE COUNTY OF CAPE MAY FOR USE OF

 COUNTY EQUIPMENT FOR A TERM OF ONE

 (1) YEAR COMMENCING JANUARY 1, 2015

 THROUGH DECEMBER 31, 2015

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

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Resolution No. 31-2015: A RESOLUTION APPROVING THE CERTIFIED

 LIST OF INDIVIDUALS QUALIFYING FOR

 2014 LENGTH OF SERVICE PROGRAM

 CREDITS

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

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Resolution No. 32-2015: A RESOLUTION AUTHORIZING HATCH

 MOTT MACDONALD TO PROVIDE

 ENGINEERING SERVICES FOR THE SPRING

 2015 BEACH RENOURISHMENT PROJECT,

 INCLUDING PERMITTING SERVICES, DESIGN

 SERVICES, PREPARATION OF PLANS AND

 SPECIFICATIONS AND ADVERTISEMENT

 FOR BIDS FOR A LUMP SUM FEE OF FORTY-

 SEVEN THOUSAND FOUR HUNDRED

 ($47,400.00) DOLLARS

**7220**

January 28, 2015

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

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Resolution No. 33-2015: A RESOLUTION AUTHORIZING THE

 CANCELLATION OF UNEXPENDED

 BALANCES APPROPRIATED IN THE

 GENERAL CAPITAL FUND AND

 WATER/SEWER CAPITAL FUND

 Resolution No. 34-2015: A RESOLUTION ESTABLISHING CHANGE

 FUNDS FOR OPERATION OF VARIOUS

 SUMMER FUNCTIONS FOR THE 2015 SEASON

 Motion made by Councilman Ellenberg, seconded by Councilman McCorristin that the resolutions be adopted.

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Resolution No. 35-2015: A RESOLUTION AUTHORIZING AN

 EMERGENCY TEMPORARY APPROPRIATION

Resolution No. 36-2015: A RESOLUTION ESTABLISHING A 2015

 TEMPORARY CAPITAL BUDGET

 Motion made by Council Vice President Dean, seconded by Council President Covington that the resolutions be adopted.

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Resolution No. 37-2015: A RESOLUTION AMENDING RESOLUTION

 NO. 45-2014, ADOPTED MARCH 12, 2014 ENTITLED “A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, NON-FAIR AND OPEN, WITH 7 MILE PUBLISHING AND CREATIVE GROUP, LLC OF AVALON, NJ FOR PUBLIC RELATIONS AND ADVERTISING SERVICES FOR THE BOROUGH OF AVALON FOR A TERM OF ONE (1) YEAR COMMENCING APRIL 1, 2014 THROUGH MARCH 31, 2015”

**7221**

January 28, 2015

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

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Resolution No. 38-2015: A RESOLUTION AUTHORIZING PAYMENT OF

 BILLS

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

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Introduction and first reading by title only of Ordinance No. 717-2015:

 Motion made by Council President Covington, seconded by Council Vice President Dean that Ordinance No. 717-2015 be brought on for first reading by title only.

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Borough Clerk to read aloud Ordinance No. 717-2015:

Ordinance No. 717-2015:

 BOND ORDINANCE PROVIDING FOR A BEACHFILL PROJECT IN

AND BY THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, NEW

JERSEY, APPROPRIATING $12,000,000 THEREFOR AND AUTHORIZING THE

ISSUANCE OF $11,400,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE

PART OF THE COST THEREOF

 Motion made by Council President Covington, seconded by Council Vice President Dean that Ordinance No. 717-2015 be passed on first reading and advertised according to law.

 ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

**7222**

January 28, 2015

Second reading, public hearing and final action on Ordinance No. 716-2015:

 Motion made by Councilman Ellenberg, seconded by Councilwoman Hudanich that Ordinance No. 716-2015 be brought on for second reading, public hearing and final action.

 ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Borough Clerk to read aloud Ordinance No. 716-2015:

Ordinance No.716-2015:

AN ORDINANCE AMENDING CHAPTER 9 (PARKS, BEACHES AND RECREATION FACILITIES) OF THE CODE OF THE BOROUGH OF AVALON REGULATING THE STORAGE AND USE OF KAYAKS AT THE NORTHWEST CORNER OF 57TH STREET IN THE BOROUGH OF AVALON AND AMENDING ORDINANCE 699-2014 AND ADOPTING A NEW AND REVISED SECTION 9-12

Council President Covington opened the meeting for public hearing on Ordinance No. 716-2015 and asked if there were any questions or comments.

There were no questions or comments.

 Motion made by Councilman Ellenberg, seconded by Councilwoman Hudanich that the public hearing be closed.

 ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

 Motion made by Councilman Ellenberg, seconded by Councilwoman Hudanich

Covington that Ordinance No. 716-2015 be finally adopted, submitted to the Mayor for approval and advertised according to law.

 ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Reports and Recommendations by Mayor and Officials:

Reports of Officials:

William Macomber, Director of Public Works/Utilities, Ocean City has awarded the contract for the Sand Fencing in which Council authorized participation in the Ocean City’s Cooperative Pricing in December. He said according to Joe Clark, it is not necessary for Council to adopt another resolution. He would like to order the fencing as soon as possible under Ocean City’s contract and not wait until February.

Council President Covington, said he has no problem with Bill moving forward.

Stephen D. Barse, Esquire, Borough Solicitor said he has no problem knowing Joe Clark is familiar with the process and have Council follow up with a Resolution memorializing the decision in February.

**7223**

January 28, 2015

Council agreed to proceed. A Resolution to be prepared for the February 11, 2015 Regular Meeting.

Bill Macomber, reported the online auction ended yesterday with a total to the Borough of 32,353.60 and said govdeals auctions works well for the Borough and offers the items to a broader area than just Cape May County.

Monthly Reports:

Month of December, 2014:

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, Taxicab, 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 Sue Ellenberg.

Tax Collector Control Account Report and Water/Sewer Control Account submitted by Connie L. DiCola.

Zoning Report submitted by Jeffrey R. Hesley.

Motion made by Council Vice President Dean, seconded by Councilman McCorristin that the reports be approved.

ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Pending business.

New business

None

Public Comments:

None.

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

 ROLL CALL VOTE: Council Vice President Dean Aye

 Councilman Ellenberg Aye

 Councilwoman Hudanich Aye Councilman McCorristin Aye

 Council President Covington Aye

Regular Meeting adjourned at 8:15 p.m.

 Respectfully submitted,

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 Marie J. Hood, Borough Clerk

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 Charles P. Covington, Council President