

May 14, 2014

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, May 14, 2014 at 9:05 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - -6                      Reporters - - - - - 3

The meeting was called to order by Council President Ellenberg.

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

Also present:

Stephen D. Barse, Esquire, Borough Solicitor  
Lawrence A Pepper, Jr. Esquire, Labor Attorney  
Paul E. Short, Sr., Code Enforcement Office  
William Macomber, Director of Public Works/Utilities  
Police Captain Jeff Christopher  
Sue Ellenberg, Interim Recreation Director  
Scott Wahl, Public Information Officer  
Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC

Council President Ellenberg read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting 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.

Public comments regarding Resolutions:

None.

Resolution No.        75-2014: A RESOLUTION APPROVING THE APPLICATION FOR A TAXICAB LICENSE SUBMITTED BY SPIR R. SALAMA, T/A SPIRO'S TAXI OF EGG HARBOR TOWNSHIP, NJ FOR A TERM OF ONE (1) YEAR COMMENCING JANUARY 1, 2014 THROUGH DECEMBER 31, 2014

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

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

Resolution No.        76-2014: A RESOLUTION APPROVING THE APPLICATION FOR A TAXICAB LICENSE SUBMITTED BY IRMA GUY, T/A OCEAN CAB SERVICE OF VILLAS, NJ FOR A TERM OF ONE (1) YEAR COMMENCING JANUARY 1, 2014 THROUGH DECEMBER 31, 2014

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

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

Resolution No.        77 -2014:A RESOLUTION APPROVING THEAPPLICATION FOR A TAXICAB LICENSE SUBMITTED BY OLEG PISMENNY, T/A G TAXI OF VILLAS, NJ FOR TERM OF ONE (1) YEAR COMMENCING JANUARY 1, 2014 THROUGH DECEMBER 31, 2014

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

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

Resolution No.        78-2014:A RESOLUTION APPROVING 2014 JITNEY LICENSES FOR A TERM OF ONE (1) YEAR COMMENCING JANUARY 2, 2014 THROUGH JANUARY 1, 2015

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

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

Resolution No.        79-2014:A RESOLUTION AUTHORIZING ACCEPTANCE OF A SUB-GRANT AWARD OF THE FEDERAL FISCAL YEAR 2013 OF DEPARTMENT OF HOMELAND SECURITY, EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING AND FOR THE COUNTY CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET AND CERTIFY THE AVAILABILITY OF FUNDS

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

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

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Resolution No.        80-2014: A RESOLUTION AUTHORIZING THE CHIEF OF POLICE  
OR HIS DESIGNEE TO APPLY TO THE US DEPARTMENT OF  
HOMELAND SECURITY FOR A (FY) 2014 PORT SECURITY  
GRANT FOR A NEW MARINE UNIT TO POLICE THE BACK  
BAY

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

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

Resolution No.        81 -2014: A RESOLUTION APPROVING THE RENEWAL OF A SITE  
AGREEMENT BETWEEN THE BOROUGH OF AVALON AND  
AVALON CHAMBER OF COMMERCE FOR THE  
PLACEMENT OF WEBCAMS TO BE LOCATED AT THE  
AVALON COMMUNITY HALL AND AVALON SPORT  
FISHING CENTER

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

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

Resolution No.        82-2014: A RESOLUTION SUPPORTING INCREASE IN FUNDING  
FOR NEW JERSEY DEDICATED SHORE PROTECTION  
FUND

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

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

Resolution No.        83-2014: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

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

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Introduction and first reading by title only of Ordinance No. 703-2014:

Motion made by Council President Ellenberg, seconded by Council Vice President Covington that Ordinance No. 703-2014 be brought on for first reading by title only.

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

Borough Clerk to read aloud Ordinance No. 703-2014:

Ordinance No. 703-2014:

AN ORDINANCE AMENDING CHAPTER 20  
(UNIFORM CONSTRUCTION CODE), CHAPTER 26  
(SUBDIVISION AND SITE PLAN REVIEW) AND  
CHAPTER 27 (ZONING) OF THE CODE OF  
REVISED GENERAL ORDINANCES, 2000

Motion made by Council President Ellenberg, seconded by Council Vice President Covington that Ordinance No. 703-2014 be passed on first reading and advertised according to law.

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

Reports of Officials:

Robert Hoesly, Beach Bursar, reported currently 232 free military tags have been issued. He said reception from the public has been extremely positive. He commented in 2012, the Borough implemented the free tag for active duty and so far this year 23 tags have been issued. He said tag sales are right on par with last year.

Sue Ellenberg, Interim Recreation Director, reported 75% of the kayaks that are registered are now in place and the department checks 2-3 times daily to see which ones are there, which ones are still empty. She stated the 39<sup>th</sup> Street Tennis Soft Courts and Baypark Marina are now both open and 8<sup>th</sup> Street Tennis Courts will be open Memorial Day Weekend.

Scott Wahl, Public Information Officer, reported that the Townsend's Inlet Bridge will not open this weekend. He said it will be Monday at the earliest.

Public Comments:

None.

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Resolution:

Resolution No. 84-2014: 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 PERSONNEL MATTERS CONCERNING DISTRIBUTION OF LINCOLN FINANCIAL GROUP PLAN BENEFITS FOR THE BUSINESS ADMINISTRATOR AND EMPLOYMENT CONTRACTS FOR THE CHIEF AND CAPTAIN OF THE AVALON POLICE DEPARTMENT AND UPDATE CONCERNING PENDING LITIGATION IN THE MATTER OF SHORT, ET ALS VS. BOROUGH OF AVALON

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

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

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

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

Council President Ellenberg stated there will be no formal action after the Closed Session.

Public portion of the Regular Meeting recessed at 9:20 p.m.

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

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

Public Portion of Regular Meeting reconvened at 9:53 p.m.

Present:

Andrew J. Bednarek, Business Administrator  
Stephen D. Barse, Esquire, Borough Solicitor

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Motion made by Council President Ellenberg, seconded by Council Vice President Covington to adjourn the Regular Meeting.

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

Regular Meeting adjourned at 9:53 p.m.

Respectfully submitted,

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Marie J. Hood, Assistant to Borough Clerk

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David B. Ellenberg, Council President