A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, May 25, 2016 at 8:35 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - - - - - - 10 Reporters - - - - - - - - - - 2

The meeting was called to order by Council President Dean.

Roll call: Council President Dean Present

Councilman Burns Present

Councilman Covington Present

Council Vice President Hudanich Present

Councilman McCorristin Present

Also present:

Scott Wahl, Business Administrator

James Waldron, Assistant Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

Paul Short, Code Enforcement Official

William Macomber, Director of Public Works/Utilities

William McCormick, Chief of Police

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

Council President Dean read the Open Public Meetings Act Announcement.

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

Meetings dated June 24, 2015. 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, Closed Session – April 27, 2016

Motion made by Councilman Covington, seconded by Council Vice President Hudanich that the minutes be approved as submitted.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Work Session, Agenda Session, Regular Meeting, Closed Session – May 11, 2016

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Abstain

Councilman McCorristin Aye

Council President Dean Aye

There are no Closed Session Minutes for release.

Public comments regarding Resolutions:

None.

Resolution No. 91-2016: A RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 FOR THE REMOVAL OF DREDGED MATERIAL FROM GRAVEN’S ISLAND CONFINED DISPOSAL FACILITY, CONTRACT NO. M-96

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Resolution No. 92-2016: A RESOLUTION AUTHORIZING HATCH MOTT MACDONALD TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR 8TH STREET TENNIS COURT REPAIRS AND A RESURFACING M-103 ON A REIMBURSABLE BASIS FOR AN AMOUNT NOT TO EXCEED SEVEN THOUSAND SIX HUNDRED ($7,600.00) DOLLARS

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Resolution No. 93-2016: A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF AVALON AND THE BOROUGH OF STONE HARBOR FOR CHIEF FINANCIAL OFFICER SERVICES

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Resolution No. 94-2016: 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 THE AVALON SPORT FISHING CENTER

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Resolution No. 95-2016: A RESOLUTION ADOPTING AND APPROVING (1) THE SEASONAL EMPLOYEE MANUAL; (2) THE “AVALON BEACH PATROL OPERATING PROCEDURES AND TRAINING PROGRAM” COMMONLY KNOWN AS THE LIFEGUARD MANUAL; AND (3) THE AVALON BEACH FEE ORIENTATION MANUAL COMMONLY KNOWN AS THE TAGGERS MANUAL

Motion made by Councilman McCorristin, seconded by Councilman Burns that the resolution be adopted subject to the amendments discussed and approved at this evening’s meeting.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Resolution No. 96-2016: A RESOLUTION APPROVING THE APPLICATION FOR A TAXICAB LICENSE SUBMITTED BY OLEG PISMENNYY, T/A G TAXI OF VILLAS, NJ FOR A TERM OF ONE (1) YEAR COMMENCING JANUARY 1, 2016 THROUGH DECEMBER 31, 2016

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Resolution No. 97-2016: A FINAL RESOLUTION ADOPTED PURSUANT TO RESOLUTION NO. 78-2016 (ADOPTED APRIL 27, 2016) REGARDING THE APPLICATION OF KEN’S SHORE THING LLC TO CONSTRUCT CERTAIN IMPROVEMENTS TO AN UNIMPROVED SECTION OF FOURTH AVENUE AT 24TH STREET AND THE CONSTRUCTION OF A SINGLE FAMILY DWELLING OR DUPLEX ON BLOCK 24.06, LOTS 113.01, 113.02, 113.03, 114.07, AND 114.08 AND AMENDING RESOLUTION 78-2016

Motion made by Councilman Burns, seconded by Councilman McCorristin that the resolution be adopted subject to the amendments discussed and approved at this evening’s meeting.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Resolution No. 98-2016: A RESOLUTION AUTHORIZING THE BOROUGH OF AVALON TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE COUNTY OF CAPE MAY FOR THE USE AND STORAGE OF CERTAIN EQUIPMENT, TO WIT A CERTAIN ALL-TERRAIN VEHICLE OUTFITTED FOR EMERGENCY MEDICAL USE FOR USE IN EMERGENCY SITUATIONS ARISING IN THE BOROUGH AND IN THE COUNTY

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Resolution No. 99-2016: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Introduction and first reading by title only of Ordinance No. 741-2016:

Motion made by Council Vice President Hudanich, seconded by Councilman Covington that Ordinance No. 741-2016 be brought on for first reading by title only.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Borough Clerk to read aloud Ordinance No. 741-2016:

Ordinance No. 741-2016:

AN ORDINANCE AMENDING CHAPTER 9, SUBCHAPTER 8 OF THE CODE OF THE BOROUGH OF AVALO, 2013 ENTITLED BEACH FEES

Motion made by Council Vice President Hudanich, seconded by Councilman Covington that Ordinance No. 741-2016 be passed on first reading and advertised according to law.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Second reading, public hearing and final action on Ordinance No. 739-2016:

Motion made by Councilman Covington, seconded by Councilman McCorristin that Ordinance No. 739-2016 be brought on for second reading, public hearing and final action.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye Councilman McCorristin Aye

Council President Dean Aye

Borough Clerk to read aloud Ordinance No. 739-2016:

Ordinance No. 739-2016:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE SCHEDULE OF SALARIES FOR THE BOROUGH OF AVALON AS REQUIRED BY CHAPTER 5 SECTION 12.1 ENTITLED “SALARY AND COMPENSATION” OF THE CODE OF THE BOROUGH OF AVALON, 2013 AND AMENDING ORDINANCE 627-2010

Council President Dean opened the meeting for public hearing on Ordinance No. 739-2016 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilman Covington, seconded by Councilman McCorristin that the public hearing be closed.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye Councilman McCorristin Aye

Council President Dean Aye

Motion made by Councilman Covington, seconded by Councilman McCorristin that Ordinance No. 739-2016 be finally adopted, submitted to the Mayor for approval and advertised according to law.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye Councilman McCorristin Aye

Council President Dean Aye

Second reading, public hearing and final action on Ordinance No. 740-2016:

Motion made by Councilman McCorristin, seconded by Councilman Burns that Ordinance No. 740-2016 be brought on for second reading, public hearing and final action.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye Councilman McCorristin Aye

Council President Dean Aye

Borough Clerk to read aloud Ordinance No. 740-2016:

Ordinance No. 740-2016:

AN ORDINANCE AMENDING ORDINANCE 729-2015 PERTAINING TO THE INSTALLATION OF SWIMMING POOLS AND THE DEWATERING ACTIVITY RELATED THERETO AND AMENDING CHAPTER 20 SECTION 11 OF THE CODE OF SWIMMING POOLS

Council President Dean opened the meeting for public hearing on Ordinance No. 740-2016 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilman McCorristin, seconded by Councilman Burns that the public hearing be closed.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye Councilman McCorristin Aye

Council President Dean Aye

Motion made by Councilman McCorristin, seconded by Councilman Burns that Ordinance No. 740-2016 be finally adopted, submitted to the Mayor for approval and advertised according to law.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye Councilman McCorristin Aye

Council President Dean Aye

Reports and Recommendations by Mayor and Officials:

Reports of Officials:

Scott Wahl read the following report:

Peermont Substation: We held our final construction meeting on the Peermont Substation project on Tuesday, May 24th. The Peermont project is substantially completed. The Substation is now energized with the higher load and there have been no issues during the energizing process. The Stone Harbor leg became active earlier today (May 25th) to a temporary transformer. The Substation is now providing electrical power to Avalon. Earlier this afternoon, milling operations occurred on both 60th Street and 61st Street and the streets will be resurfaced on Thursday, following a street sweeping operation by the Avalon Department of Public Works. All curbs, sidewalks, and driveway repairs have been made by Arthur Henry in the project area. Graycor, the main contractor for the project, is demobilizing on Thursday. Still remaining on the site will be minor work to the building including hand rails for the porches. Atlantic City Electric will put its landscaping portion of the project out to bid next week and some landscaping will be done before the July 4th weekend; more landscaping in the fall planting season.

Dredging of Bay Park Marina: The dredging of the navigation channel at Bay Park Marina is tentatively scheduled to begin the day after Memorial Day on Tuesday, May 31st. The NJDEP has provided the Borough with an oral modification to the permit and a written modification is expected before the weekend; the written permit modification arrived on May 25th at 330pm. The material in the navigation channel will be excavated, placed on the boat ramp at the marina to dewater before it will be trucked out of Avalon. This project will take less than a week and provide safe navigation for boaters. Public notice has been provided to the boaters in the marina and to the public.

Monthly Reports:

Month of April 2016:

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

Bureau of Fire Prevention, Bureau of Licensing, Miscellaneous Construction Collection,

Construction Water and Sewer, Uniform Construction Code & Taxicab Reports submitted by John Tracy.

Code Enforcement Report submitted by Paul E. Short, Sr.

Municipal Court Report submitted by Deborah Scott.

Police Department Report submitted by Chief William McCormick.

Public Works Department Report submitted by William Macomber.

Recreation Revenue Report submitted by Chuck McDonnell.

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

Zoning Report submitted by Jeffrey R. Hesley.

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Pending business.

None

New business

None

Public Comments:

None

Resolution:

Resolution No. 100-2016: 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 PENDING LITIGATION AND ATTORNEY CLIENT PRIVILEGE REGARDING THE BOROUGH OF AVALON VS. THE MARINA AT AVALON ANCHORAGE, LLC.

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Public portion of the Regular Meeting recessed at 8:55 p.m.

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Public Portion of Regular Meeting reconvened at 9:35 p.m.

Present:

Councilman Burns

Councilman Covington

Council Vice President Hudanich

Councilman McCorristin

Council President Dean

Scott Wahl, Business Administrator

James A. Waldron, Assistant Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

Motion made by Councilman Burns, seconded by Councilman Covington to adjourn the Regular Meeting.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye

Council President Dean Aye

Regular Meeting adjourned at 9:35 p.m.

Respectfully submitted,

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Marie J. Hood, Borough Clerk

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Richard E. Dean, Council President