**7395**

September 23, 2015

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, September 23, 2015 at 8:05 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - - - - - - 4 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 President Hudanich Present

 Councilman McCorristin Present

Also present:

Scott Wahl, Business Administrator

James A. Waldron, Assistant Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

William Macomber, Director of Public Works/Utilities

Captain Jeffrey Christopher

Paul Short, Code Enforcement Officer

Dean Marcolongo, Esquire

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 – August 26, 2015

 Work Session, Agenda Session, Regular Meeting, Closed Session – September 9, 2015

 Motion made by Councilman McCorristin, seconded by Councilman Covington 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

Borough Clerk stated there are no Closed Session Minutes for Release.

Public comments regarding Resolutions:

None.

**7396**

September 23, 2015

Resolution No. 163-2015: A RESOLUTION AUTHORIZING THE SALE OR

 DISPOSAL OF CERTAIN PROPERTY OR

 EQUIPMENT WHICH IS NO LONGER NEEDED

 FOR PUBLIC PURPOSES BY THE BOROUGH

 OF AVALON TO THE CITY OF SEA ISLE

 VOLUNTEER FIRE DEPARTMENT TO WIT,

 TEN (10) 4,500 PSI TANKS SCBA (SELF

 CONTAINED BREATHING APPARATUS) FOR

 A NOMINAL CONSIDERATION OF ONE

 ($1.00) DOLLAR

Resolution No. 164-2015: A RESOLUTION AUTHORIZING THE SALE OF

 SURPLUS PROPERTY NO LONGER NEEDED

 FOR PUBLIC USE WITH AN ONLINE

 AUCTION SERVICE

 Motion made by Councilman Covington, seconded by Council President Dean that the resolutions 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. 165-2015: A RESOLUTION AUTHORIZING THE CREATION OF

 A CERTAIN PARKING SPACE RESERVED FOR

 HANDICAPPED ONLY FOR PROPERTY LOCATED

 AT 273 60th STREET

 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. 166-2015: A RESOLUTION AUTHORIZING PAYMENT OF

 BILLS

 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

**7397**

September 23, 2015

Introduction and first reading by title only of Ordinance No. 727-2015:

 Motion made by Councilman Covington, seconded by Councilman Burns that Ordinance No. 727-2015 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. 727-2015:

Ordinance No. 727-2015:

AN ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF THE BOROUGH OF AVALON, 2013 SECTION 7-24.5 ENTITLED “IMPOUNDING OF MOTOR VEHICLES” PERTAINING TO TOWING AND STORAGE CHARGES FOR CERTAIN MOTOR VEHICLES

 Motion made by Councilman Covington, seconded by Councilman Burns that Ordinance No. 727-2015 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. 726-2015:

 Motion made by Councilman McCorristin, seconded by Council Vice President Hudanich that Ordinance No. 726-2015 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. 726-2015:

Ordinance No.726-2015:

AN ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF THE BOROUGH OF AVALON, 2013, TO REPEAL SECTION 7-23 PERTAINING TO RENTALS OF HOUSING AND FURTHER REPEALING PORTIONS OF ORDINANCE 152-84 PERTAINING TO GROUP RENTALS

Council President Dean opened the meeting for public hearing on Ordinance No. 726-2015 and asked if there were any questions or comments.

There were no questions or comments.

**7398**

September 23, 2015

Motion made by Councilman McCorristin, seconded by Council Vice President Hudanich 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 Council Vice President Hudanich that Ordinance No. 726-2015 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, Business Administrator, provided the following report:

Dredging: Phase Two of Avalon’s Back Bay Dredging Project is underway. Work has resumed by Mobile Dredging on clean-up work in Princeton Harbor to finish last fall’s successful dredging of the Harbor. At the request of my office, Hatch Mott MacDonald is in constant communication with Mobile Dredging regarding the anticipated schedule for the immediate and short-term future in advance of the stop date of December 31st. Updates are being posted on the Borough’s website, and other media operated by the Borough directs the public to the website for the updated information. The posting made earlier this morning is below for your benefit:

Here is the sched­ule sub­mit­ted to the Bor­ough of Avalon for the work to be con­ducted this week, and in the com­ing weeks. *Please remem­ber this sched­ule is sub­ject to change pend­ing weather con­di­tions, mechan­i­cal issues, etc. Dates are ten­ta­tive and estimated:*

* Wednes­day (9/23) – Move to the east end and com­plete minor dredg­ing along Third Avenue Waterway
* Thurs­day (9/24) – Move pipe to the west end of Prince­ton and begin dredg­ing the edges along the west bank
* Mon­day (9/28) – Fin­ish west bank of Prince­ton and begin mov­ing pipe to Ster­back Harbor
* Tues­day (9/29) – Open Prince­ton Harbor
* Two weeks esti­mated to com­plete Ster­back Harbor
* After com­plet­ing Ster­back Har­bor, move pipe to west­erly end of Penn­syl­va­nia Har­bor and start work­ing in an east­erly direc­tion (Close Penn­syl­va­nia Har­bor approx­i­mately Octo­ber 15)

Peermont Substation: I attended the weekly construction meeting at the site of the Peermont project on Tuesday, September 22nd. Concrete was being poured at the site on Tuesday, and a second and final pour will occur either tomorrow or on Friday, September 25th. Upon successful de-energizing and removal of the transformers inside the substation, the current building will be demolished and the new building constructed. Updates are being made on the Borough’s website for the public’s benefit when necessary.

Atlantic City Electric has delayed for a third time a proposed planned power outage for part of Avalon that will last approximately 20 minutes to de-energize the substation. The Mayor and emergency management team have been updated throughout the process and we will provide adequate community notifications when the time arrives.

**7399**

September 23, 2015

28th Street Parking Lot:

A pre-construction meeting was held on September 16th, 2015 to discuss the project. The schedule for the reconstruction of the lot is as follows:

Construction will start on Monday, October 12, 2015. The legal holiday will not interfere with start of work.

1. Completion is scheduled for early December.
2. Boardwalk status:
* Stairs at 28th and 29th Street will be closed on October 12, 2015 and remain closed during construction.
* Ramp at 29th Street will remain open during construction.
1. Contractor will give notice house to house 2 weeks before start of construction regarding closing of parking lot and other restrictions.
2. Avalon DPW will post signage on October 10 stating “No Parking after October 11”
3. Avalon DPW will post barricades and cones on October 11, 2015.

Townsend’s Inlet Bridge: On Friday, September 25th, I will be representing Avalon at a meeting regarding the next phase of work relating to the repair of Ocean Drive leading towards the Townsend’s Inlet Bridge. The meeting is being held by the County with a seat at the table by Avalon and Sea Isle City. The pre-construction meeting will discuss a $5.1 million contract that has been awarded for the project. In summary, the work consists of restoring Ocean Drive from damage incurred during Hurricane Sandy and making this roadway more resilient against future storms. We are assured that no work can be done past March 15th. I will have more details following this meeting, present to Council, and conduct any necessary community notifications.

Regional Bicycle Path Planning Workshop: Tomorrow afternoon, Engineer Thomas Thornton, and Recreation Director Chuck McDonnell will join me by attending a Cape May County Regional Bicycle Path Planning Workshop. The County has entered into an agreement with the South Jersey Economic Development District to provide professional Planning that may result in a bicycle path that would connect all 16 communities in the County as long as connectivity is possible. The County’s Planning Department is heading up this effort.

Councilman Covington asked how much advanced notice will be given of the power outage.

Scott Wahl, indicated he will be informed 11 am the day before the outage and will make sure the appropriate measures are taken to inform the public.

Monthly Reports:

Month of August, 2015:

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 & Jitney 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.

**7400**

September 23, 2015

Motion made by Council President Dean, seconded by Councilman Burns that the reports be received and filed.

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 No. 167-2015: 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 PERTAINING

 TO PENDING LITIGATION AND ATTORNEY CLIENT

 PRIVILEGE CONCERNING COUNCIL ON

 AFFORDABLE HOUSING LITIGATION AND

 WILLIAM W. LISOWSKI AND CLARA E. LISOWSKI

 V. BOROUGH OF AVALON AND THE STATE OF

 NEW JERSEY TIDELANDS RESOURCE COUNCIL

Motion made by Councilman Covington, seconded by Councilman Burns 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 Council Vice President Hudanich, seconded by Councilman McCorristin 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 8:19 p.m.

 Motion made by Council President Dean, seconded by Council Vice President Hudanich 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

**7401**

September 23, 2015

Public Portion of Regular Meeting reconvened at 9:25 p.m.

Present:

Full Council

 Scott Wahl, Business Administrator

James A. Waldron, Assistant Business Administrator

 Stephen D. Barse, Esquire, Borough Solicitor

Motion made by Councilman McCorristin, seconded by Councilman Burns 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 9:25 p.m.

 Respectfully submitted,

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 Marie J. Hood, Borough Clerk

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 Richard E. Dean, Council President