**7349**

July 22, 2015

A Work Session of the Borough Council of the Borough of Avalon was held on

Wednesday, July 22, 2015 at 7:05 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ---------- 14 Reporters ---------2

The Meeting was called to order by Council President Dean.

Pledge of allegiance.

Roll call: Council President Dean Present

Councilman Covington Present

Council Vice President Hudanich Present

Councilman McCorristin Present

Also present:

Martin L. Pagliughi, Mayor

Scott Wahl, Business Administrator

James Waldron, Assistant Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

Paul Short, Code Enforcement Official

James V. Craft, Chief Financial Officer

William Macomber, Director of Public Works/Utilities

Jeffrey Christopher, Captain of Police

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

Notice of this Work Session 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.

Council President Dean read the Open Public Meetings Act Announcement.

Discussion regarding Resolution concerning the 2014 Audit.

James V. Craft, Chief Financial Officer said the Finance Committee met with the auditor last week and there were no comments or recommendations. He added the auditor said the Borough’s surplus was strong and is in good financial condition.

Council Vice President Hudanich thanked Mr. Craft and his department for their excellent work not only in day to day procedures and operations of financial responsibilities, but also the long-term projecting and planning.

Discussion regarding Resolution to fill the Vacancy on Borough Council.

Scott Wahl, Business Administrator gave a high level overview of the vacancy created and Council’s options in choosing a successor.

Council President Dean explained that the remaining members of Council met with the Mayor to discuss possible candidates to fill the vacancy and Council unanimously selected Mr. Bill Burns.

Council Vice President Hudanich spoke of how council came to their conclusion. She emphasized that Mr. Burns has not only been an integral component of local activities but has worked at a County level, with various charitable organizations as well as his placement on the MUA. She noted his dedication and support he has shown the town for years. She mentioned that she had worked with Mr. Burns in the past and was impressed with his skill with communications, negotiations with staff as well as administrators and contractors.

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Councilman Covington noted he had the same reasons as Council Vice President Hudanich. He said Mr. Burns’ activity in the community, his work with the Chamber of Commerce, Board of Education and the County level and was pleased to select Mr. Burns to fill the vacancy.

Councilman McCorristin said he served with Mr. Burns on the Avalon School Board and pointed out what a great job Mr. Burns did and he looks forward to working with him again.

Mayor Pagliughi, said he was pleased with the selection of Mr. Burns and has worked with him in the past and pointed out his work on the Cape May County MUA as well as his knowledge of contract administration.

Discussion regarding Ordinance Amending Chapter 20 Building and Construction concerning swimming pools.

Scott Wahl, Business Administrator gave an overview of complaints from home owners concerning the dewatering issue by pool contractors not following the existing Ordinance. He explained he met with John Tracy, Bill Macomber, Paul Short and Jim Waldron to discuss potential improvements to the existing ordinance. He said some proposed changes for council’s consideration are to require a bag at the point of discharge, a permit to come from the Department of Public Works and Utilities, establish a firm time limit when dewatering can take place not to exceed 30 days between June and Labor Day and increase the fine. He said they also want the ability to have the Director of Public Works issue a stop the work order if the Ordinance is not being complied.

Councilman McCorristin asked for clarification on the details of the proposal.

James Waldron, Assistant Business Administrator said the proposal emphasizes if the offender appears in court, the municipal prosecutor will recommend an appropriate fine for a first offense for an amount between $100.00 and $1,000.00, and a second offense an enhanced penalty and if the second offense occurs within one year of the first offense, there is a further penalty and the fine could be doubled. He said this particular ordinance mirrors the rental registration ordinance recently enacted by Council. He said it was discussed that the pool contractors be invited to a meeting to educate them on the details of the ordinance.

Council Vice President Hudanich stated she would like the first offense minimum fine to be $100 and the restriction dates for dewatering coincide with the season from mid-June through Labor Day because of safety.

A brief discussion ensued.

Mr. Waldron asked for clarification about meeting with the pool companies.

Council agreed to leave the ordinance as is with the time limits to get feedback from the contractors. Further discussion will be held at the August 12, 2015 Work Session Meeting.

Discussion regarding Ordinance amending Chapter 7 concerning Impound and Recovery of Personal Property.

Scott Wahl, Business Administrator gave a high level overview of a unique situation that occurred in Avalon on July 10th where Paul Short noticed bikes with green tires tied to Borough property throughout town. He said the police investigated and found the bikes were linked to a phone app that allowed people to rent bikes through the app. He said Chief McCormick tracked down the owner and informed him he could not use public property unauthorized and told the proprietor he had 24 hours to remove the bikes. He said Chief McCormick also informed Stone Harbor of the same. He said there were approximately 40 bikes between Avalon and Stone Harbor. He said they looked at the kayak ordinance and are asking Council to change Chapter 7: Impoundment of property and recovered property so the Borough could recover cost of manpower of removing the items and storing them as well.

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Brief discussion followed and further discussion will be held at the August 12, 2015 Work Session Meeting.

Discussion regarding Resolutions approving the applications for a taxicab license submitted by Robert White, t/a Number One Taxi, LLC, of C.M.C.H., NJ and Irma Guy t/a Ocean Cab Service of Villas, NJ.

Council had no problem with the applications and agreed to proceed with a Resolution to be adopted at the Regular Meeting this evening.

Discussion regarding Resolution approving Jitney Licenses.

Council agreed to proceed with a Resolution to be adopted at the Regular Meeting this evening.

Discussion regarding Resolution authorizing sale of surplus property.

Council agreed to proceed. A Resolution will be prepared for the August 12, 2015 Regular Meeting.

Public Comments:

Frank Wellack-120 16th Street – thanked everyone involved for addressing the swimming

pool issue within two weeks.

Martha Wright-632 7th Street – asked Council to consider fencing the hole during the dewatering process while updating the ordinance because it too is a safety issue.

Motion made by Council President Dean, seconded by Councilman McCorristin to adjourn the Work Session.

ROLL CALL VOTE: Councilman Covington Aye

Council Vice President Hudanich Aye

Councilman McCorristin Aye Council President Dean Aye

Work Session adjourned at 8:00 p.m.

Respectfully submitted,

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Marie J. Hood, Borough Clerk

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Richard E. Dean, Council President