

January 9, 2013

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, January 9, 2013 at 7:42 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - 25 Reporters - - - - - 1

The meeting was called to order by Council Vice President Ellenberg.

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

Also present:

Andrew J. Bednarek Business Administrator
Stephen D. Barse, Esquire, Borough Solicitor
Police Chief William McCormick
William Macomber, Director of Public Works/Utilities
Paul E. Short Sr., Code Enforcement Officer
Scott Wahl, Public Information Officer
Ed Dean, Chief, Avalon Volunteer Fire Department
Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald
Vincent L. Lamanna, Jr., Esquire
Robert Fineberg, Esquire

Council Vice President Ellenberg read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included in the Annual Schedule of Meetings dated June 27, 2012. It was given to the news media and posted on the Official Bulletin Board as required by law.

Public comments regarding Resolutions:

None.

Resolutions:

Resolution No. 1-2013: A RESOLUTION APPROVING A MEMBERSHIP IN THE NEW JERSEY STATE FIREMEN'S RELIEF ASSOCIATION

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

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

Resolution No. 2-2013: A RESOLUTION EXPRESSING SUPPORT FOR THE ESTABLISHMENT OF A LONG-TERM, DEDICATED SOURCE OF STATE FUNDING FOR PRESERVATION AND STEWARDSHIP OF OPEN SPACE, PARKS, FARMLAND AND HISTORIC SITES

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

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ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Council Vice President Ellenberg	Aye
Councilwoman Hudanich	Aye
Council President Tipping	Absent

Resolution No. 3-2013: A RESOLUTION AMENDING RESOLUTION NO. 199-2012, ADOPTED NOVEMBER 28, 2012 ENTITLED "A RESOLUTION ADOPTING THE CASH MANAGEMENT PLAN OF THE BOROUGH OF AVALON FOR THE YEAR 2013"

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Council Vice President Ellenberg	Aye
Councilwoman Hudanich	Aye
Council President Tipping	Absent

Resolution No. 4-2013: A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH MICHAEL D. JONES, MAI, CTA, LEGORE & JONES APPRAISAL SERVICES OF CAPE MAY, NJ AS REAL ESTATE APPRAISER TO PREPARE AN APPRAISAL FOR BLOCK 83, LOT 8 IN THE BOROUGH OF AVALON FOR A FEE OF ONE THOUSAND (\$1,000.00) DOLLARS

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Council Vice President Ellenberg	Aye
Councilwoman Hudanich	Aye
Council President Tipping	Absent

Resolution No. 5-2013: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Council Vice President Ellenberg	Aye
Councilwoman Hudanich	Aye
Council President Tipping	Absent

Ordinances:

Second reading, public hearing and final action on Ordinance No. 670-2012:

Motion made by Councilman Covington, seconded by Councilwoman Hudanich that Ordinance No. 670-2012 be brought on for second reading, public hearing and final action.

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

Borough Clerk to read aloud Ordinance No. 670-2012:

Ordinance No.670-2012:

AN ORDINANCE OF THE BOROUGH OF AVALON, COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING THE SUM OF \$265,000 FOR VARIOUS BEACH RENOURISHMENTPROJECTS, FUNDING FROM THE CAPIAL FUND SURPLUS IN THE AMOUNT OF \$230,913.62 AND RESERVE FOR BEACHFILLS IN THE AMOUNT OF \$34,086.38

Council Vice President Ellenberg opened the meeting for public hearing on Ordinance No. 670-2012 and asked if there were any questions or comments.

There were no questions or comments.

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

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

Motion made by Councilman Covington, seconded by Councilwoman Hudanich that Ordinance No. 670-2012 be finally adopted, submitted to the Mayor for approval and advertised according to law.

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

Second reading, public hearing and final action on Ordinance No. 671-2012:

Motion made by Councilman Dean, seconded by Council Vice President Ellenberg that Ordinance No. 671-2012 be brought on for second reading, public hearing and final action.

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

Borough Clerk to read aloud Ordinance No. 671-2012:

Ordinance No.671-2012:

AN ORDINANCE AMENDING CHAPTER 9 (MUNICIPAL RECREATIONAL FACILITIES) OF THE CODE OF REVISED GENERAL ORDINANCES, 2000, TO ESTABLISH REGULATIONS FOR THE STORAGE AND USE OF KAYAKS AT THE SOUTHWEST CORNER 57TH STREET IN THE BOROUGH OF AVALON

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Council Vice President Ellenberg opened the meeting for public hearing on Ordinance No. 671-2012 and asked if there were any questions or comments.

Councilman Covington indicated a correction on page two of the Ordinance where the word “kayak” should be in place of “vehicle”.

Amy W. Kleuskens, Borough Clerk responded that the correction was been made and the Ordinance was published accordingly.

Motion made by Councilman Dean, seconded by Council Vice President Ellenberg that the public hearing be closed.

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

Motion made by Councilman Dean, seconded by Council Vice President Ellenberg that Ordinance No. 671-2012 be finally adopted, submitted to the Mayor for approval and advertised according to law.

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

Second reading, public hearing and final action on Ordinance No. 672-2012:

Motion made by Council Vice president Ellenberg, seconded by Councilwoman Hudanich that Ordinance No. 672-2012 be brought on for second reading, public hearing and final action.

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

Borough Clerk to read aloud Ordinance No. 672-2012:

Ordinance No.672-2012:

AN ORDINANCE GRANTING AN ACCESS AND UTILITY EASEMENT OF THE PREMISES BLOCK 83, LOT 11 A/K/A 4046 FOURTH AVENUE: OWNER: JOHN ADAMS

Council Vice President Ellenberg opened the meeting for public hearing on Ordinance No. 672-2012 and asked if there were any questions or comments.

A verbatim transcript of the public hearing is attached to these minutes.

Motion made by Council Vice President Ellenberg, seconded by Councilwoman Hudanich that the public hearing be closed.

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

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Motion made by Council Vice President Ellenberg, seconded by Councilwoman Hudanich that final action on Ordinance No. 672-2012 be tabled to the Regular Meeting on January 23, 2013.

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

Reports of Officials:

None.

Public Comments:

None.

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

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

Regular Meeting adjourned at 9:26 p.m.

Respectfully submitted,

Amy W. Kleuskens, Borough Clerk

David B. Ellenberg, Council Vice President