

May 8, 2013

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, May 8, 2013 at 7:00 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 9

Reporters ----- 0

The Meeting was called to order by Council President Tipping.

Pledge of allegiance.

<u>Roll call:</u>	Council President Tipping	Present
	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  
Norman Gluckman, Director of the Avalon Free Public Library  
Neil Hensel, Chairman, Planning/Zoning Board of the Borough of Avalon  
Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC  
Joseph S. Clark, Qualified Purchasing Agent  
Jackie Ewing, President, 7 Mile Business Community Association  
John O'Dea, President, Avalon Chamber of Commerce  
John J. Shortino, Jr., President of Blue Diamond Disposal Inc.  
John Coggins of Blue Diamond Disposal Inc.

Notice of this Work Session 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.

Council President Tipping read the Open Public Meetings Act Announcement.

Discussion regarding Resolution authorizing an agreement between the Borough of Avalon and 7 Mile Business Community Association for 30 second commercial placement with NBC New York in the amount of seven thousand five hundred (\$7,500.00) dollars.

Scott Wahl, Public Information Officer spoke about the commercial video and great public relations opportunity from this project. He played the video for everyone and gave statistics on the number of impressions, emails and tweets in favor of this video.

Jackie Ewing, President, 7 Mile Business Community Association commented on the history of this project.

John O'Dea, President, Avalon Chamber of Commerce complimented on the partnering with the Borough of Avalon, 7 Mile Business Community Association and the Avalon Chamber of Commerce on this very successful endeavor.

Brief discussion followed and Council agreed to proceed with a Resolution to be voted upon at the Regular Meeting this evening.

Power Point Presentation of the annual State of the Avalon Free Public Library by Norman Gluckman, Library Director.

May 8, 2013

Norman Gluckman, Director of the Avalon Free Public Library commented that the library could not do what they do without the support of all the departments who assist in the programs. He gave a very informative power point presentation, a copy of which is attached to these minutes.

Council Vice President Ellenberg spoke about the commendable efforts of Mr. Gluckman when he attempted to set up a temporary library at the Cumberland County Shelter during Hurricanes Irene and Sandy. He commented on the Scrabble Club at the Library and encouraged people to attend.

Discussion followed concerning the new entryway addition to the school/library.

Councilman Covington commented how much larger the addition is than anticipated.

Norman Gluckman informed Council that bids were opened yesterday for furniture.

Discussion regarding Resolution authorizing the execution of a contract with Blue Diamond Disposal, Inc. of Succasunna, NJ for options A-1, B-1, B-2, C-1 and C-2, Borough Contract No. 13-04 (Re-Bid), Collection & Disposal of Municipal Solid Waste Materials for the Borough of Avalon for a five (5) year term commencing June 1, 2013 through May 31, 2018.

Joseph S. Clark, Qualified Purchasing Agent reviewed the bids received for Borough Contract No. 13-04 (Re-Bid) and reported that Blue Diamond Disposal Inc. is the lowest responsible bidder.

Discussion followed and John J. Shortino, Jr., President and John Coggins of Blue Diamond Disposal Inc. were introduced to Council.

John J. Shortino, Jr. gave a brief history of his company and expressed his gratitude for the opportunity to serve the Borough of Avalon.

John Coggins spoke about the quality of the contract specifications and indicated that he will be readily available.

Brief discussion continued and Council agreed to proceed with a Resolution to be voted upon at the Regular Meeting this evening.

Discussion regarding Ordinance amending Chapter 27 (Zoning) regarding living fences.

Neil Hensel, Chairman, Planning/Zoning Board of the Borough of Avalon commented on the amendment recommended by the Planning/Zoning Board and indicated that Lomax Associates assisted in the preparation of a materials list for living fences.

Brief discussion followed and Council agreed to proceed with introduction of an Ordinance at the Regular Meeting this evening.

Discussion regarding Resolution authorizing the Borough of Avalon to enter into an agreement with Ransome Cat Rental Power of Bensalem, PA for portable generator to provide standby electrical power to an evacuation shelter on an as needed basis for an additional term commencing May 25, 2013 through December 31, 2013.

Council had no problem with this additional term and agreed to proceed with a Resolution at the Regular Meeting this evening.

Discussion regarding Resolution authorizing renewal of Borough Contract No. 11-07, Addendum No. 1, pre-event disaster recovery assistance following a natural or manmade disaster for the Borough of Avalon with Phillips & Jordan, Inc. of Robbinsville, NC for an additional term of one (1) year commencing May 25, 2013 through May 24, 2014.

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

May 8, 2013

Discussion regarding Resolutions affirming the recommendation of the Hearing Officer with regard to the following Rental Complaints:

Charles Krafczek for property located at 274 48<sup>th</sup> Street.

Council accepted the recommendation of the Hearing Officer and agreed to proceed with a Resolution to be voted upon at the Regular Meeting this evening.

William DeAngelis for properties located at 311 and 313 40<sup>th</sup> Street.

Councilman Covington questioned there being two separate Resolutions and how the recommendation was worded.

Discussion followed regarding whether to adopt two separate Resolutions or combine them into one and whether there should be reference to Mr. DeAngelis residing in one of the properties year round. Council agreed to defer these Resolutions for clarification from Alan I. Gould, Esquire, Hearing Officer in this matter. These Resolutions will be scheduled for further consideration at the next Regular Meeting.

Discussion regarding Resolution authorizing the release of a certain rental bond posted with the Borough of Avalon, owners: Timothy Wall and Craig Worton for property located at 612 21<sup>st</sup> Street.

Council had no problem with the release of this bond and agreed to proceed with a Resolution to be voted upon at the Regular Meeting this evening.

Discussion regarding a Resolution expressing support of Assembly Bill No. A-1551 concerning certain property rights, supplementing Title 2a of the New Jersey Statutes and repealing parts of the statutory law.

Council agreed to support this proposed legislation and a Resolution will be prepared for the May 22, 2013 Regular Meeting.

Public comments:

Stuart Friedman, 285 48<sup>th</sup> Street commented on the settlement agreement for 274 48<sup>th</sup> Street, citing possible differences in the language of certain sections from the draft agreement dated April 2, 2013 and what is being considered for adoption by Council this evening.

Discussion followed regarding the language referencing the resident occupancy and number of guests permitted. Council's understanding was that there would be an occupancy limit of twenty- four with an additional twelve guests, not overnight, permitted at any given time.

Rhoda Friedman, 285 48<sup>th</sup> Street stated that she was at the Rental Hearing on April 3, 2013 where Mr. Donohue spoke to the neighbors and presented an agreement which was not explained as a draft.

Elaine Scattergood, 75 30<sup>th</sup> Street commented that 274 48<sup>th</sup> Street is for sale and suggested deed restricting this property if sold.

Brief discussion followed.

Martha Wright, 632 7<sup>th</sup> Street commented on the prohibition of trash picking in Avalon, referring to Borough Ordinance, Section 17-2.2 "Collection by unauthorized person" and information obtained from Police Chief William McCormick, a copy of which is attached to these minutes. She expressed her opinion that because Avalon is a "green community" that removal of items from bulk trash at the curb, such as a couch or dresser, should be encouraged. She asked for an explanation as to why trash picking is illegal in Avalon.

May 8, 2013

Andrew J. Bednarek, Business Administrator responded that the Police Chief will address this issue and commented that Avalon is a “green town”. He added that the goal of the recycling regulations are to encourage more recycling materials. Tipping fees are not charged for bulk trash.

Martha Wright pointed out that this does not reduce the waste stream.

Police Chief William McCormick cited 2010 through 2012 statistics regarding thefts relating to metal scrapping commented on the correlation between the police issuing summonses for trash picking and a reduction in the number of thefts of properties.

Martha Wright responded that there is a distinction between scrappers and pickers. She encouraged Council to take this under advisement and suggested that a permit be considered for trash picking.

Councilwoman Hudanich expressed her appreciation to Martha Wright for her time in preparing the presentation to Council and said Council will take this under advisement.

William Macomber, Director of Public Works/Utilities commented that the efforts of the police are helping with recycling tonnage credits.

Motion made by Council President Tipping, seconded by Council Vice President Ellenberg to adjourn the Work Session.

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

Work Session adjourned at 8:55 p.m.

Respectfully submitted,

---

Amy W. Kleuskens, Borough Clerk

---

Joseph V. Tipping, Council President