A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, November 9, 2016 at 4:56 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - - - - - - 3 Reporters - - - - - - - - - - 2

The meeting was called to order by Council President Hudanich.

Roll call: Council President Hudanich Present

Councilman Burns Present

Councilman Covington Present

Councilman Dean Present

Council Vice President McCorristin Present

Also present:

Scott Wahl, Business Administrator

James Waldron, Assistant Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

William Macomber, Director of Public Works/Utilities

Police Chief William McCormick

James V. Craft, Chief Financial Officer

Edward Dean, Fire Chief

John Tracy, Construction Official

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

Council President Hudanich read the Open Public Meetings Act Announcement.

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

Meetings dated June 22, 2016. It was given to the news media and posted on the Official Bulletin Board as required by law.

Public comments regarding Resolutions:

None.

Resolution No. 176-2016: A RESOLUTION AUTHORIZING A PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0501-36-011-002 HERETOFORE ISSUED TO AVE, INC. T/A MIRAGE RESTAURANT AND LOUNGE

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Resolution No. 177-2016: A RESOLUTION AUTHORIZING THE CREATION OF A CERTAIN PARKING SPACE RESERVED FOR HANDICAPPED ONLY FOR PROPERTY LOCATED AT 118 21ST STREET

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Resolution No. 178-2016: A RESOLUTION AUTHORIZING BOROUGH OF AVALON PARTICIPATION IN CAPE MAY COUNTY COOPERATIVE PRICING PROGRAM FOR AWARD OF COUNTY CONTRACT NO. 25 CMACP 02-44-16, FURNISH AND DELIVER ROCK SALT

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Resolution No. 179-2016: A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH PERNA FINNIGAN, INC., FOR FIFTH AVENUE & 60TH STREET WATER AND SEWER SYSTEM IMPROVEMENTS CONTRACT NO. 54 IN THE AMOUNT OF SIX HUNDRED THIRTY-FOUR THOUSAND SIX HUNDRED FORTY-FOUR DOLLARS AND SEVEN CENTS ($634,644.07)

Resolution No. 180-2016: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR FIFTH AVENUE AND 60TH STREET WATER AND SEWER IMPROVEMENTS CONTRACT 54 ON A REIMBURSABLE BASIS FOR AN AMOUNT NOT TO EXCEED EIGHTY-FOUR THOUSAND ($84,000.00) DOLLARS

Motion made by Councilman Burns, seconded by Council Vice President McCorristin that the resolutions be adopted.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Resolution No. 181-2016: A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS, (N.J.S.A. 40A:4-87), DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF PARKS AND FORESTRY

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Resolution No. 182-2016: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Introduction and first reading by title only of Ordinance No. 752-2016:

Motion made by Councilman Covington, seconded by Councilman Burns that Ordinance No. 752-2016 be brought on for first reading by title only.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Borough Clerk to read aloud Ordinance No. 752-2016:

Ordinance No. 752-2016:

AN ORDINANCE AMENDING CHAPTER 19 (FLOOD DAMAGE PREVENTION) OF THE CODE OF BOROUGH OF AVALON, 2013 PERTAINING TO FLOOD ELEVATION FOR ACCESSORY STRUCTURES AND ADDING CERTAIN DEFINITIONS

Motion made by Councilman Covington, seconded by Councilman Burns that Ordinance No. 752-2016 be passed on first reading and advertised according to law.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Second reading, public hearing and final action on Ordinance No. 751-2016:

Motion made by Council Vice President McCorristin, seconded by Councilman Dean that Ordinance No. 751-2016 be brought on for second reading, public hearing and final action.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Borough Clerk to read aloud Ordinance No. 751-2016:

Ordinance No. 751-2016:

BOND ORDINANCE AMENDING SECTION 3(c) OF BOND ORDINANCE #722-15 AND PROVIDING A SUPPLEMENTAL APPROPRIATION OF $2,400,000 FOR THE OCEAN DRIVE SANITARY SEWER PROJECT IN AND BY THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF $2,280,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Council President Hudanich opened the meeting for public hearing on Ordinance No. 751-2016 and asked if there were any questions or comments.

There were no questions or comments.

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Motion made by Council Vice President McCorristin, seconded by Councilman Dean that Ordinance No. 751-2016 be finally adopted, submitted to the Mayor for approval and advertised according to law.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Reports of Officials:

None.

Public Comments:

None.

Resolution No. 183-2016: 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 CONTRACT NEGOTIATIONS AND ATTORNEY CLIENT PRIVILEGE CONCERNING STIPEND SYSTEM FOR THE VOLUNTEERS OF THE AVALON VOLUNTEER FIRE DEPARTMENT AND PENDING LITIGATION CONCERNING BEACH LOT AT BLOCK 73.01, LOT 62 & 64 REGARDING CLAIM OF INVERSE CONDEMNATION

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Council President Hudanich announced there will be official action taken after the Closed Session.

Public portion of the Regular Meeting recessed at 5:03 p.m.

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Public Portion of Regular Meeting reconvened at 5:44 p.m.

Present:

Full Council

Scott Wahl, Business Administrator

James A. Waldron, Assistant Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

Resolution No. 184-2016: A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH OF AVALON AND THE AVALON VOLUNTEER FIRE DEPARTMENT, INC. PERTAINING TO THE CREATION AND IMPLEMENTATION OF A STIPEND PROGRAM AUTHORIZED PURSUANT TO ORDINANCE 748-2016

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Councilman Dean Aye

Council Vice President McCorristin Aye

Council President Hudanich Aye

Regular Meeting adjourned at 5:45 p.m.

Respectfully submitted,

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Marie J. Hood, Borough Clerk

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John M. McCorristin, Council Vice President