

June 14, 2017

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, June 14, 2017 at 4:52 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 0                      Reporters ----- 2

The meeting was called to order by Council President Hudanich.

<u>Roll call:</u>	Council President Hudanich	Present
	Councilman Covington	Present
	Councilman Dean	Present
	Councilman Deever	Present
	Council Vice President McCorristin	Present

Also present:

Scott Wahl, Business Administrator  
 James Waldron, Assistant Business Administrator  
 Stephen D. Barse, Esquire, Borough Solicitor  
 Paul Short, Code Enforcement Official  
 William Macomber, Director of Public Works/Utilities  
 Jeffrey Christopher, Captain of Police  
 Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC  
 John Cuthbert, Representative, AHLOA

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. 97-2017:            A RESOLUTION AUTHORIZING AN AGREEMENT FOR SHARED SERVICES WITH THE COUNTY OF CAPE MAY FOR MAINTENANCE AND REPAIR OF CERTAIN CONTROLLED TRAFFIC INTERSECTIONS WITHIN THE BOROUGH OF AVALON FOR A SEVEN (7) YEAR TERM COMMENCING JANUARY 1, 2017 THROUGH DECEMBER 31, 2024

Resolution No. 98-2017:            A RESOLUTION APPROVING THE RENEWAL OF A SITE AGREEMENT BETWEEN THE BOROUGH OF AVALON AND AVALON CHAMBER OF COMMERCE FOR THE PLACEMENT OF WEBCAMS TO BE LOCATED AT THE AVALON COMMUNITY HALL AND THE AVALON SPORT FISHING CENTER

Motion made by Councilman Covington, seconded by Councilman Deever that the resolutions be adopted.

<u>ROLL CALL VOTE:</u>	Councilman Covington	Aye
	Councilman Dean	Aye
	Councilman Deever	Aye
	Council President Hudanich	Aye
	Council Vice President McCorristin	Aye

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Resolution No. 99-2017: A RESOLUTION APPROVING THE APPLICATION FOR AN ON PREMISE MERCHANDISE RAFFLE LICENSE SUBMITTED BY THE WETLANDS INSTITUTE TO BE HELD ON SATURDAY, JULY 29, 2017 FROM 6:00 PM TO 9:00 PM AT ICONA GOLDEN INN, 7849 DUNE DRIVE, AVALON, NJ

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Councilman Deever	Aye
Council President Hudanich	Aye
Council Vice President McCorristin	Aye

Resolution No. 100-2017: A RESOLUTION APPROVING THE PURCHASE OF GROUNDS MAINTENANCE WITH RELATED EQUIPMENT, ACCESSORIES AND SUPPLIES FROM DEERE & COMPANY IN ACCORDANCE WITH THE NATIONAL CO-OPERATIVE PURCHASING AGREEMENT

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Councilman Deever	Aye
Council President Hudanich	Aye
Council Vice President McCorristin	Aye

Resolution No. 101-2017: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE SURVEYING AND BASE MAP PREPARATION FOR SURFSIDE PARK PROJECT FOR A LUMP SUM FEE OF FOUR THOUSAND EIGHT HUNDRED (\$4,800.00) DOLLARS

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Councilman Deever	Aye
Council President Hudanich	Aye
Council Vice President McCorristin	Aye

Resolution No. 102-2017: A RESOLUTION ACCEPTING A PROPOSAL FROM THE STOCKTON UNIVERSITY COASTAL RESEARCH CENTER FOR A STUDY OF FLOOD PRONE AREAS "NUISANCE" FLOODING PROJECT IN THE AMOUNT OF NINE THOUSAND THREE HUNDRED SEVENTY-FIVE (\$9,375.00) DOLLARS

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Councilman Deever	Aye
Council President Hudanich	Aye
Council Vice President McCorristin	Aye

Resolution No. 103-2017: A RESOLUTION AUTHORIZING THE RENEWAL OF CERTAIN PLENARY RETAIL CONSUMPTION LICENSES IN THE BOROUGH OF AVALON, CAPE MAY COUNTY, NEW JERSEY FOR THE LICENSE TERM JULY 1, 2017 THROUGH JUNE 30, 2018

Resolution No. 104-2017: A RESOLUTION AUTHORIZING THE RENEWAL OF CERTAIN PLENARY RETAIL DISTRIBUTION LICENSE – FRED’S AVALON LIQUOR STORE, INC., LICENSE NO. 0501-44-003-003 FOR THE LICENSE TERM JULY 1, 2017 THROUGH JUNE 30, 2018

Resolution No. 105-2017: A RESOLUTION REQUESTING THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL TO ACT UPON THE RENEWAL APPLICATION OF THE AVALON YACHT CLUB, CLUB LICENSE NO. 0501-31-010-004 FOR THE LICENSE TERM JULY 1, 2017 THROUGH JUNE 30, 2018

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Councilman Deever	Aye
Council President Hudanich	Aye
Council Vice President McCorristin	Aye

Resolution No. 106-2017: A RESOLUTION APPROVING A MEMBERSHIP IN THE NEW JERSEY STATE FIREMEN’S RELIEF ASSOCIATION

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Councilman Deever	Aye
Council President Hudanich	Aye
Council Vice President McCorristin	Aye

Resolution No. 107-2017: A RESOLUTION DIRECTING THE IMPOSITION OF A MUNICIPAL LIEN IN THE AMOUNT OF \$650.00 UPON THE LAND AND PREMISES KNOWN AS BLOCK 61.05, LOT 2.04 AND 2.06 AND OTHERWISE KNOWN AS 6128 OCEAN DRIVE IN THE BOROUGH OF AVALON

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Councilman Deever	Aye
Council President Hudanich	Aye
Council Vice President McCorristin	Aye

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Resolution No. 108-2017: A RESOLUTION AUTHORIZING SPECIAL LITIGATION COUNSEL FOR THE BOROUGH TO FILE AN APPEAL OR, IN THE ALTERNATIVE, A PETITION FOR CERTIFICATION WITH THE SUPREME COURT OF NEW JERSEY IN THE MATTER OF BOROUGH OF AVALON V. THE MARINA AT AVALON ANCHORAGE, LLC, et. als, DOCKET No. CPL-L-433-16 AND APPELLATE DIVISION DOCKET No. A – 4817-15T2

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Councilman Deever	Aye
Council President Hudanich	Aye
Council Vice President McCorristin	Aye

Resolution No. 109-2017: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Councilman Deever	Abstain
Council President Hudanich	Aye
Council Vice President McCorristin	Aye

Introduction and first reading by title only of Ordinance No. 758-2017:

Motion made by Councilman Dean, seconded by Council Vice President McCorristin that Ordinance No. 758-2017 be brought on for first reading by title only.

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Councilman Deever	Aye
Council President Hudanich	Aye
Council Vice President McCorristin	Aye

Borough Clerk to read aloud Ordinance No. 758-2017:

Ordinance No. 758-2017:

AN ORDINANCE AMENDING CHAPTER 8 (TRAFFIC) SECTION, 8-24 OF THE CODE OF THE BOROUGH OF AVALON, 2013 PERTAINING TO ROUTES FOR TRUCKS OVER FOUR TONS

Motion made by Councilman Dean, seconded by Council Vice President McCorristin that Ordinance No. 758-2017 be passed on first reading and advertised according to law.

ROLL CALL VOTE:

Councilman Covington	Aye
Councilman Dean	Aye
Councilman Deever	Aye
Council President Hudanich	Aye
Council Vice President McCorristin	Aye

Reports of Officials:

None.

Public Comments:

None.

Resolution:

Resolution No. 110-2017: 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 PENDING LITIGATION CONCERNING BEACH LOT AT BLOCK 73.01, LOTS 62 & 64 REGARDING CLAIM OF INVERSE CONDEMNATION

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

<u>ROLL CALL VOTE:</u>	Councilman Covington	Aye
	Councilman Dean	Aye
	Councilman Deever	Aye
	Council President Hudanich	Aye
	Council Vice President McCorristin	Aye

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

<u>ROLL CALL VOTE:</u>	Councilman Covington	Aye
	Councilman Dean	Aye
	Councilman Deever	Aye
	Council President Hudanich	Aye
	Council Vice President McCorristin	Aye

Council President Hudanich announced there will be no official action taken after the Closed Session.

Public portion of the Regular Meeting recessed at 4:57 p.m.

Motion made by Councilman Deever, seconded by Councilman Covington to adjourn the Closed Session and go back into public portion of the Regular Meeting.

<u>ROLL CALL VOTE:</u>	Councilman Covington	Aye
	Councilman Dean	Aye
	Councilman Deever	Aye
	Council President Hudanich	Aye
	Council Vice President McCorristin	Aye

Public Portion of Regular Meeting reconvened at 5:36 p.m.

Present:

- Councilman Covington
- Councilman Dean
- Councilman Deever
- Council President Hudanich
- Scott Wahl, Business Administrator
- James A. Waldron, Assistant Business Administrator
- Stephen D. Barse, Esquire, Borough Solicitor

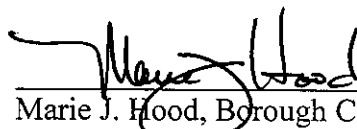
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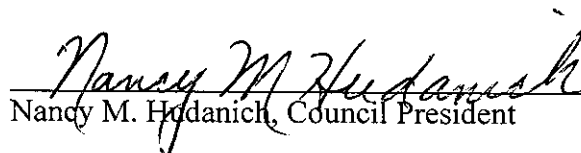
Motion made by Councilman Deever, seconded by Councilman Covington to adjourn the Regular Meeting.

<u>ROLL CALL VOTE:</u>	Councilman Covington	Aye
	Councilman Dean	Aye
	Councilman Deever	Aye
	Council President Hudanich	Aye
	Council Vice President McCorristin	Aye

Regular Meeting adjourned at 5:37 p.m.

Respectfully submitted,

  
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Marie J. Hood, Borough Clerk

  
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Nancy M. Hudanich, Council President