

April 26, 2017

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, April 26, 2017 at 7:56 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.

<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
 William McCormick, Chief of Police
 Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC
 James Craft, CFO
 Erin Brown, Director, Avalon Public Library
 Nina Ranalli, Director, Avalon History Center
 John Cuthbert, Representative, AHLOA
 Scott Jett, Municipal Clerk, North Wildwood

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.

Minutes:

Work Session, Agenda Session, Regular Meeting – March 22, 2017
 Public Hearing, Work Session, Agenda Session, Regular Meeting, Closed Session – April 12, 2017

Motion made by Councilman Covington, seconded by Council Vice President McCorristin that the minutes be approved as submitted.

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

Public comments regarding Resolutions:

None.

<u>Resolution No.</u> <u>78-2017:</u>	A RESOLUTION AUTHORIZING THE RELEASE OF CERTAIN RENTAL BONDS POSTED WITH THE BOROUGH OF AVALON
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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. 79-2017: A RESOLUTION APPOINTING CLASS I AND CLASS II SPECIAL OFFICERS FOR THE BOROUGH OF AVALON

Motion made by Council President Hudanich, 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. 80-2017: A RESOLUTION AUTHORIZING THE SALE OF ABANDONED AND UNCLAIMED PROPERTY ON SATURDAY, MAY 13, 2017

Motion made by Councilman Covington, 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. 81-2017: A RESOLUTION AUTHORIZING AWARD OF CONTRACT TO CHANNEL MARINE CONSTRUCTION, INC. FOR FURNISHING AND INSTALLATION OF PILES FOR FIFTH AVENUE PIER AT 20TH STREET IN THE AMOUNT OF SEVENTEEN THOUSAND (\$17,000.00) DOLLARS

Motion made by Councilman Deever, 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

Resolution No. 82-2017: A RESOLUTION AUTHORIZING THE RELEASE OF CERTAIN DEED RESTRICTIONS IMPOSED BY THE BOROUGH OF AVALON UPON BLOCK 67.06 LOTS 11, 13, 49 AND 51 AND RETAINING THE DEED RESTRICTIONS IMPOSED BY THE BOROUGH OF AVALON UPON BLOCK 67.06 LOTS 26, 28, 53 AND 55

Motion made by Council Vice President McCorristin, seconded by Council President Hudanich 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

Resolution No. 83-2017: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

Motion made by Councilman Covington, seconded by Council President Hudanich 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

Second reading, public hearing and final action on Ordinance No. 754-2017:

Motion made by Councilman Covington, seconded by Council Vice President McCorristin that Ordinance No. 754-2017 be brought on for second reading, public hearing and final action.

<u>ROLL CALL VOTE:</u>	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. 754-2017:

Ordinance No. 754-2017:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$1,635,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,308,000 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. 754-2017 and asked if there were any questions or comments.

There were no questions or comments.

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

<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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Motion made by Councilman Covington, seconded by Council Vice President McCorristin that Ordinance No. 754-2017 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
	Councilman Deever	Aye
	Council President Hudanich	Aye
	Council Vice President McCorristin	Aye

Second reading, public hearing and final action on Ordinance No. 755-2017:

Motion made by Councilman Deever, seconded by Councilman Dean that Ordinance No. 755-2017 be brought on for second reading, public hearing and final action.

<u>ROLL CALL VOTE:</u>	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. 755-2017:

Ordinance No. 755-2017:

BOND ORDINANCE PROVIDING FOR VARIOUS WATER/SEWER IMPROVEMENTS IN AND BY THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$837,600 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$795,720 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. 755-2017 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilman Deever, seconded by Councilman Dean that the public hearing be closed.

<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 Councilman Deever, seconded by Councilman Dean that Ordinance No. 755-2017 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
	Councilman Deever	Aye
	Council President Hudanich	Aye
	Council Vice President McCorristin	Aye

Reports and Recommendations by Mayor and Officials:

Reports of Officials:

Scott Wahl gave a summary of the following report:

Townsend's Inlet Bridge: The issue with the Townsend's Inlet Bridge was discovered during an underwater inspection being performed to gather information for a planned substructure repair program this upcoming off season. Greenman-Pedersen, Inc. is the design engineer for this repair program and they are leading the design of the emergency repairs to Pier 6 (numbered from the south) of the Townsend's Inlet Bridge. The County has engaged South State, Inc. to perform the construction and Maser Consulting PA to oversee the construction operations.

The proposed emergency repair program involves installing 3 150-foot long pipe piles on both the bay and ocean ends of Pier 6 and attaching the piles to the existing pier cap. Due to conflict at the bridge with the new piles, South State has removed the safety walk and bridge railing over Pier 6. During the last three days South State has been moving riprap stones on the inlet bottom to permit the installation of the new piles. The piles are being delivered in 50-foot lengths to the loading dock at Avalon Point and are welded together for the initial setting of an 100-foot piece. The final 50-foot section of pile is welded once the pile has been partially driven into the inlet bottom and is in a secured position. All piles are expected to be delivered by supplier before the end of this week. A marine-grade coating has been applied to the piles.

Assuming the inlet bottom in the area of the new piles gets cleared of the riprap stone tomorrow (April 27th), it is anticipated that the first pile will be installed early next week (week of May 1st). South State will be working extended hours as needed to install the piles Monday through Saturday each week, as long as weather conditions permit the work to occur.

Chain-link fence has been placed around the areas where the bridge railing and walkway have been removed. Pedestrians, fishermen and bicyclists can cross the bridge when active work is not ongoing, however bicyclists need to walk their bikes through the work zone. During working hours, the Contractor will shut down the passage of folks through the work zone, particularly during pile driving and other related at-risk activities.

Due to conditions in the inlet, the barges are moved out of the area when not in use. The construction activities and the barge placement is not expected to impact marine traffic. It is our goal to have the bridge re-open to vehicular traffic by Memorial Day weekend.

Stone Harbor 96th Street Bridge: Cape May County Engineer Dale Foster has announced that the 96th Street Bridge Priority Structural Repairs construction project is underway. The bridge is a county owned and operated bridge and will be under construction by Agate Construction Company, Inc. Before Memorial Day weekend, the bridge will be closed to all traffic overnight between the hours of 10:00pm and 5:00am from Sunday night to Thursday night.

Between Memorial Day weekend and June 9th the bridge closures are the same time but are limited to Monday nights through Thursday nights. The contractor is also permitted to close a lane at any time from Sunday, 9:00pm until Friday, 5:00am. The alternating of traffic in the remaining open lane will be controlled by traffic signals. No lane closures or complete closures are permitted after Fridays at 5:00am, all day Saturdays, and until 9:00pm on Sundays. The project will be completed by June 9th; if it is not, work will be deferred until the fall. All lane and complete closures are weather-dependent.

When the repair work is finished on the southwest movable girder, the bridge will once again be able to carry legal loads and the current weight restriction on the bridge will be removed.

Beach Fill Project: The sea conditions right now are 5-7ft at both the Cape May & Townsend Inlets. The forecast is for the seas to start calm down but it will take until Thursday afternoon before the conditions will allow the dredge to get into the Townsend inlet and setup. My guess is that the Texas will start up tomorrow night.

Special Events: The Avalon Garden Club will host an Arbor Day celebration on Friday, April 28th at 10:30am. The public is invited to attend the event to be held at the 66th-67th Street traffic island along Dune Drive. A honey locust tree will be planted on the island. There will be comments from Garden Club members and from Dr. Brian Reynolds from the Avalon Environmental Commission.

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Avalon Police Chief William McCormick announced that on Saturday, April 29 from 10 a.m. to 2 p.m. the Avalon Police Department and the Drug Enforcement Administration (DEA) will give the public its 12th opportunity in seven years to prevent pill abuse and theft by ridding their homes of potentially dangerous expired, unused, and unwanted prescription drugs. Bring your pills for disposal to Avalon Police Department at 3000 Dune Drive, Avalon, NJ. (The DEA cannot accept liquids or needles or sharps, only pills or patches.) The service is free and anonymous, no questions asked.

Monthly Reports:

Month of March 2017:

Borough Clerk and Registrar's Report submitted by Marie J. Hood.
Bureau of Fire Prevention, Licensing, Miscellaneous Construction Collection,
Construction Water and Sewer, Uniform Construction Code, Taxicab, Beach Vehicle Reports
submitted by John Tracy.
Code Enforcement Report submitted by Paul E. Short, Sr.
Municipal Court Report submitted by Deborah Scott.
Police Department Report submitted by Chief William McCormick.
Public Works Department Report submitted by William Macomber.
Recreation Operations Report submitted by Chuck McDonnell.
Tax Collector & Water/Sewer Control Account submitted by Alexis Coan.
Zoning Report submitted by Jeffrey R. Hesley.

Motion made by Councilman Dean, seconded by Council President Hudanich that the reports be approved.

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

Pending business.

None.

New business

None.

Public Comments:

Scott Jett, 104 West 17th Avenue, North Wildwood, thanked Council for welcoming him to the meeting. As a Municipal Clerk within Cape May County and President of the Cape May County Municipal Clerks' Association, he enjoys attending governing body meetings of neighboring municipalities. He complimented Avalon's staff and the way they conduct business.

Resolution:

Resolution No. 84-2017: 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 ATTORNEY CLIENT PRIVILEGE & PENDING LITIGATION CONCERNING WILLIAM W. LISOWSKI AND CLARA E. LISOWSKI VS BOROUGH OF AVALON AND STATE OF NEW JERSEY TIDELANDS RESOURCE COUNCIL

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Motion made by Council Vice President McCorristin, 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

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

Motion made by Councilman Covington, 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

Public portion of the Regular Meeting recessed at 8:09 p.m.

Motion made by Council President Hudanich, seconded by Councilman Deever 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 8:17 p.m.

Present:

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

Resolution:

Resolution No. 85-2017: A RESOLUTION APPROVING A SETTLEMENT OF LITIGATION IN THE MATTER OF WILLIAM W. AND CLARA E. LISOWSKI V. THE BOROUGH OF AVALON AND THE STATE OF NEW JERSEY TIDELANDS RESOURCE COUNCIL, SUPERIOR COURT OF NEW JERSEY, CHANCERY DIVISION, CAPE MAY COUNTY, DOCKET NO. CPM-C-58-11

Motion made by Councilman Dean, seconded by Councilman Covington 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

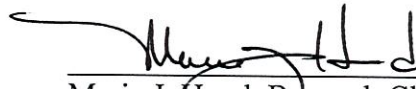
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Motion made by Council Vice President McCorristin, seconded by Councilman Dean to adjourn the Regular Meeting.

<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 8:18 p.m.

Respectfully submitted,



Marie J. Hood, Borough Clerk



Nancy M. Hudanich, Council President