

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, February 28, 2018 at 6:25 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

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

The meeting was called to order by Council President McCorristin.

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

Also present:

Scott Wahl, Business Administrator
James Waldron, Assistant Business Administrator
Stephen D. Barse, Esquire, Borough Solicitor
Paul Short, Code Enforcement Official
James V. Craft, Chief Financial Officer
Steven Camp, Assistant Director of Public Works/Utilities
Jeffrey Christopher, Chief of Police
Thomas R. Thornton, P.E., Borough Engineer, Mott Macdonald
Dr. Ed Mahaney, Mahaney Consulting Group

Council President McCorristin read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included in the Annual Schedule of Meetings dated June 28, 2017. It was given to the news media and posted on the Official Bulletin Board as required by law.

Minutes:

Public Hearings, Work Session, Agenda Session, Regular Meeting – January 24, 2018

Motion made by Councilwoman Hudanich, seconded by Councilman Covington that the minutes be approved as submitted.

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

Work Session, Agenda Session, Regular Meeting – February 7, 2018

Motion made by Councilman Covington, seconded by Councilman Dean that the minutes be approved as submitted.

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

Ordinance:

Introduction and first reading by title only of Ordinance No. 768-2018:

Motion made by Councilwoman Hudanich, seconded by Councilman Covington that Ordinance No. 768-2018 be brought on for first reading by title only.

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

Borough Clerk read aloud Ordinance No. 768-2018:

Ordinance No. 768-2018:

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP
BANK (N.J.S.A. 40A:4-45.14)

Motion made by Councilwoman Hudanich, seconded by Councilman Covington that Ordinance No. 768-2018 be passed on first reading and advertised according to law.

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

Public comments regarding Resolutions:

None.

<u>Resolution No. 41-2018:</u>	A RESOLUTION REGARDING THE LOCAL MUNICIPAL BUDGET OF THE BOROUGH OF AVALON, COUNTY OF CAPE MAY FOR THE FISCAL YEAR 2018
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Councilwoman Hudanich reported she has reviewed the 2018 budget along with Councilman Covington as sent to Council by the Mayor. Although the Current Fund Budget as presented indicates a \$366,401 decrease, the current fund budget will actually be \$790,953 larger than the 2017 budget, which amounts to a growth of approximately 2.8%. This phenomenon will be explained at the public hearing of the budget to be held March 28, 2018. Capital spending, as reviewed by Chief Financial Officer Jim Craft at the Work Session earlier this afternoon, represents a large portion of the budget increase. The Borough's practice of paying cash for capital improvements wherever possible will continue with this budget, along with continuing to pay the 20% down payment for any necessary bonds. Those practices help to maintain the AAA Standard and Poors Bond Rating. The dedication of funding to keep Borough infrastructure in repair is also continued in this budget. Capital projects and updates regarding how revenue gained through taxation is being spent will also be detailed at the public hearing of the budget. Salaries, wages and general operating expenses remain low, however have increased 1.3% over last year. The prudent use of surplus balance will also provide a strong balance at the end of 2018. The Borough of Avalon was very fortunate to collect 99.4% of taxes in 2017, which helps to build a sound surplus, which is another important factor that contributes to maintaining the AAA Bond Rating. The Water and Sewer Fund is on track to generate sufficient revenue. The intent is for the Water and Sewer Fund to be a self-liquidating utility, which has not been completed in the past, however, the Borough is on the right track to accomplish that goal. With these points in mind, she and Councilman Covington recommended the formal introduction of the 2018 Municipal Budget.

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

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

Borough Clerk read:

The 2018 Local Municipal Budget Summary is available at the back of the room this evening. Copies of the introduced 2018 Local Municipal Budget, in its entirety, and Budget Summary may also be obtained by members of the general public at the Borough Clerk's Office and on the Borough's website, www.avalonboro.net, up to and including the time of the Budget Hearing to be held on March 28, 2018.

Resolution No. 42-2018: A RESOLUTION GRANTING A 2018 AMUSEMENT GAMES LICENSE TO TWO BITS AMUSEMENTS, INC. FOR PREMISES LOCATED AT 2805-07-09 BOARDWALK, AVALON, NEW JERSEY

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

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

Resolution No. 43-2018: A RESOLUTION AUTHORIZING THE TRANSFER OF 2017 APPROPRIATIONS

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

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

Resolution No. 44-2018: A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR MUNICIPALLY OWNED AND/OR CONTROLLED TENNIS COURTS

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

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

Resolution No. 45-2018: A RESOLUTION AUTHORIZING THE BOROUGH OF AVALON TO UTILIZE THE SERVICES OF COASTAL BROADCASTING SYSTEM, INC. TO PROVIDE CERTAIN PUBLIC SERVICE ANNOUNCEMENTS, TO THE RESIDENTS AND VISITORS TO THE BOROUGH INCLUDING EMERGENCY AND OTHER NOTIFICATIONS FROM THE LOCAL AND COUNTY OFFICE OF EMERGENCY MANAGEMENT AND OTHER NOTICES OF AN EMERGENT NATURE FOR AN ANNUAL SUM NOT TO EXCEED EIGHT THOUSAND SIX HUNDRED DOLLARS (\$8,600.00) FOR THE PERIOD JANUARY 1, 2018 THROUGH DECEMBER 31, 2018

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

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

Resolution No. 46-2018: A RESOLUTION OPPOSING OFFSHORE OIL AND GAS ACTIVITIES

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
	Council Vice President Deever	Aye
	Councilwoman Hudanich	Aye
	Council President McCorristin	Aye

Scott Wahl made the following statement regarding the Resolution titled “A RESOLUTION OPPOSING THE LEGALIZATION OF THE SALE OF MARIJUANA TO ADULTS FOR RECREATIONAL PURPOSES IN THE STATE OF NEW JERSEY”:

The proposed Resolution opposing the legalization of marijuana sales is being deferred to allow for further investigation.

If sales are to be banned, for example, this will very likely require an Ordinance that would be an amendment to the Borough Zoning and Land Use Ordinances with special notice requirements for such an ordinance under the Municipal Land Use Law of New Jersey.

Such an ordinance would also have to identify, with specificity, zoning districts that would be impacted by such an ordinance. That would require referral to the Planning Board.

In short, there is additional work of a procedural nature that is required and for that reason the proposed resolution is being deferred.

Resolution No. 47-2018:

A RESOLUTION AUTHORIZING THE PURCHASE OF A 2018 PIERCE ENFORCER PUMPER FIRE TRUCK FROM PIERCE MANUFACTURING, INC. THROUGH THE HOUSTON – GALVESTON AREA COUNCIL OF GOVERNMENTS NATIONAL COOPERATIVE PURCHASING PROGRAM (HGAC BUY) PURSUANT TO RESOLUTION NO. 38-2018 ADOPTED FEBRUARY 7, 2018

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

ROLL CALL VOTE:

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

Resolution No. 48-2018:

A RESOLUTION APPROVING THE APPOINTMENTS BY THE MAYOR WITH ADVICE AND CONSENT OF BOROUGH COUNCIL OF ANDREW J. CAFIERO, ESQUIRE AS MUNICIPAL JUDGE FOR THE BOROUGH OF AVALON FOR A THREE (3) YEAR TERM COMMENCING MARCH 1, 2018 THROUGH FEBRUARY 28, 2021

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

ROLL CALL VOTE:

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

Resolution No. 49-2018:

A RESOLUTION APPROVING A MEMBERSHIP IN THE NEW JERSEY STATE FIREMEN’S RELIEF ASSOCIATION

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

ROLL CALL VOTE:

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

Resolution No. 50-2018:

A RESOLUTION AUTHORIZING THE EXPENDITURE OF AN ADDITIONAL SUM OF TWO THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS AS ASSESSED BY THE SUPERIOR COURT OF NEW JERSEY BY ORDER DATED JANUARY 30, 2018 ON CERTAIN MUNICIPALITIES HAVING FILED A DECLARATORY JUDGMENT ACTION RELATED TO THE BOROUGH’S POTENTIAL AFFORDABLE HOUSING OBLIGATIONS UNDER THE COUNCIL ON AFFORDABLE HOUSING (COAH) REQUIREMENTS (Docket CPM-L-306-15)

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

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

Resolution No. 51-2018: A RESOLUTION OF SUPPORT FROM THE BOROUGH COUNCIL OF THE SUBMISSION OF SUSTAINABLE JERSEY GRANT APPLICATION

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

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

Resolution No. 52-2018: A RESOLUTION DONATING TWO HUNDRED (200) METAL CHAIRS TO HAITIAN RELIEF EFFORTS

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

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

Resolution No. 53-2018: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

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

Ordinances:

Introduction and first reading by title only of Ordinance No. 769-2018:

Motion made by Councilwoman Hudanich, seconded by Council President McCorristin that Ordinance No. 769-2018 be brought on for first reading by title only.

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

Borough Clerk read aloud Ordinance No. 769-2018:

Ordinance No. 769-2018:

AN ORDINANCE AUTHORIZING THE SALE AND RELEASE OF ANY AND ALL PUBLIC INTEREST IN A CERTAIN EASEMENTS AND RESTRICTIONS HERETOFORE IMPOSED BY THE BOROUGH OF AVALON IN A 1979 DEED OF CONVEYANCE UPON BLOCK 67.03 LOTS 26, 28, 53 AND 55 FOR A CONSIDERATION OF TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS SUBJECT TO THE CONTINUATION OF A TEN FOOT WIDE DUNE ACCESS EASEMENT

Motion made by Councilwoman Hudanich, seconded by Council President McCorristin that Ordinance No. 769-2018 be passed on first reading and advertised according to law.

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

Introduction and first reading by title only of Ordinance No. 770-2018:

Motion made by Council Vice President Deever, seconded by Councilman Dean that Ordinance No. 770-2018 be brought on for first reading by title only.

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

Borough Clerk read aloud Ordinance No. 770-2018:

Ordinance No. 770-2018:

BOND ORDINANCE PROVIDING FOR VARIOUS WATER/SEWER IMPROVEMENTS IN AND BY THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$919,050 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$873,096 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Motion made by Council Vice President Deever, seconded by Councilman Dean that Ordinance No. 770-2018 be passed on first reading and advertised according to law.

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

Introduction and first reading by title only of Ordinance No. 771-2018:

Motion made by Councilman Covington, seconded by Councilwoman Hudanich that Ordinance No. 771-2018 be brought on for first reading by title only.

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

Borough Clerk read aloud Ordinance No. 771-2018:

Ordinance No. 771-2018:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$6,204,600 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,329,380 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Motion made by Councilman Covington, seconded by Councilwoman Hudanich that Ordinance No. 771-2018 be passed on first reading and advertised according to law.

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

Reports and Recommendations by Mayor and Officials:

Reports of Officials:

Scott Wahl read the following report:

NJDOT Municipal Aid grant: Avalon applied for a Municipal Aid grant through the New Jersey Department of Transportation, for which Council authorized the application. We are pleased to report that the Borough, for the second consecutive year, was awarded a grant, this time for the reconstruction of 35th Street between Dune Drive and First Avenue in the amount of \$165,000. You may recall that last year, the Borough also received a grant for over \$180,000 for the reconstruction of one block of 39th Street; that project is underway. Since 1997, this Borough Council has applied for and received \$2.5 million in grant funding under this Municipal Aid grant program for street reconstruction that would have otherwise been absorbed in the municipal budget.

Division of Travel and Tourism Grant: Through the efforts of Jacquie Ewing, President of the 7 Mile Beach and Community Association, the Association makes a grant annually to the Division of Travel and Tourism. The funding used from the grant is used for external promotion of the Borough and to support the Thanksgiving weekend activities in Avalon which draws very large crowds annually to Avalon. I am pleased to report that for the tenth consecutive year the 7MBCA received a grant in the amount of \$20,000 to support these efforts. Through the diligence and volunteerism on the 7MBCA the Borough has received approximately \$200,000 of funding in this program.

Ocean Drive Project: The milling and paving of Ocean Drive from 62nd Street north to 29th Street began this week and will continue this week, if the weather cooperates. This is in advance of the final road surface to be applied to Ocean Drive in the Spring. This County project remains on schedule.

Monthly Reports:

2017 Annual Reports and Month of January, 2018:

Borough Clerk and Registrar's Reports submitted by Marie J. Hood.

Bureau of Fire Prevention, Bureau of Licensing, Miscellaneous Construction Collection, Construction Water and Sewer, Uniform Construction Code, Taxicab, Beach Vehicle Reports submitted by John Tracy.

Code Enforcement Reports submitted by Paul E. Short, Sr.

Municipal Court Reports submitted by Deborah Scott.

Police Department Reports submitted by Chief Jeffrey Christopher.

Public Works Department Reports submitted by William Macomber.

Recreation Operations Reports submitted by Charles O'Donnell.

Tax Collector Control Account Reports submitted by Alexis Coan.

Zoning Reports submitted by Jeffrey R. Hesley.

February 28, 2018

Motion made by Council President McCorristin, seconded by Council Vice President Deever that the reports be approved as submitted.

ROLL CALL VOTE:

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

Pending business.

None.

New business

None.

Public Comments:

None.

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

ROLL CALL VOTE:

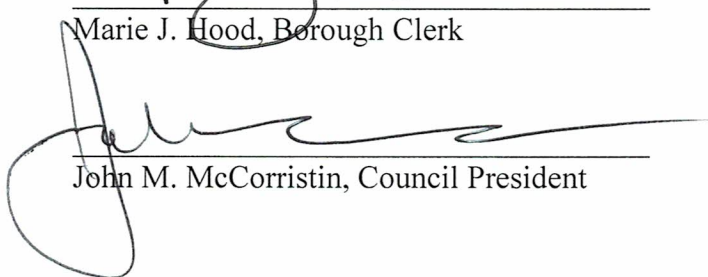
Councilman Covington	Aye
Councilman Dean	Aye
Council Vice President Deever	Aye
Councilwoman Hudanich	Aye
Council President McCorristin	Aye

Regular Meeting adjourned at 6:42 p.m.

Respectfully submitted,



Marie J. Hood, Borough Clerk



John M. McCorristin, Council President