

April 25, 2018

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, April 25, 2018 at 4:01 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 7

Reporters ----- 2

The Meeting was called to order by Council President McCorristin.

Pledge of allegiance.

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

Also present:

Scott Wahl, Business Administrator
James Waldron, Assistant Business Administrator
Steven A. Fabietti, Esquire, Gruccio, Pepper, DeSanto & Ruth, PA
William Macomber, Director of Public Works/Utilities
Jeffrey R. Christopher, Chief of Police
Thomas R. Thornton, P.E., Borough Engineer, Mott Macdonald
Charles McDonnell, Recreation Director

Council President McCorristin read the Open Public Meetings Act Announcement.

Notice of this Work Session 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.

Discussion regarding Resolution authorizing Professional Services Contract with Bay Atlantic Symphony.

Scott Wahl reported before Council this afternoon is the contract proposal by the Bay Atlantic Symphony for the July 4th Celebration. The leadership at the Symphony has been working with the Borough and the Free Public Library on musical selections and interest. This year, the performance would be a 75 minute music performance on July 4th at Avalon Community Hall at 7:00 p.m. The total cost has increased by \$1,000.00 over last year's proposal, however there was another item within the contract that the Symphony no longer needs from the Borough which cost in excess of \$1,000.00. Therefore, the true cost to the Borough will be a cost savings as a result of this contract.

Councilwoman Hudanich clarified this contract is only for the July 4th performance. Any performances at the Avalon Free Public Library would be contracted separately through the Library.

Scott Wahl noted the Bay Atlantic Symphony is welcomed by the Avalon Free Public Library for two performances a year and the Library works with the Bay Atlantic Symphony directly to schedule the dates and negotiate the costs associated with those performances. The Borough's obligation is for the July 4th performance only.

Council President McCorristin announced the Avalon Free Public Library will be offering performances with a mixed selection of music this year to cater to audiences of all age groups.

Council agreed to proceed with a Resolution to be prepared for the May 9, 2018 Regular Meeting.

Discussion regarding Resolution refunding new water service fee to Dakan Homes, LLC for property located at 23 West 19th Street.

Bill Macomber explained the property owner had applied and paid for new water service to be installed at this property, however after the full payment was made the Borough discovered there was water service already in place, which deemed the application unnecessary. It is being requested that Council grant a refund to the property owner for the amount paid for new water service.

Council agreed to proceed with a Resolution to be prepared for the May 9, 2018 Regular Meeting.

Discussion regarding Resolution authorizing the scheduling of a public hearing for release of Two-Story Height Restriction at 4868 Ocean Drive.

Jim Waldron indicated this request is similar to other recent applications that have come before Council. A two story height restriction was imposed by the Borough in an original deed of conveyance for this property. The property has since changed hands and the current owner is now requesting the release of the restriction. It is recommended to hold the public hearing for this application on May 9, 2018.

Council agreed to proceed with a Resolution to be considered at today's Regular Meeting.

Discussion regarding modification to the Custodial and Cleaning Services contract concerning additional services at the 8th Street Recreation Facilities.

Chuck McDonnell read the following report to explain the contract modification:

Summary: In 2018, the Avalon Borough Council approved a change of use for three of the tennis courts located at the 8th Street Tennis Complex. The change of use for three of the courts results in ten new outdoor pickleball courts for the Borough of Avalon. Avalon Borough Council recognized the need to ensure that the public facilities at the building have a later, final cleaning of the day due to the anticipated growth of activity by using the pickleball courts during the late afternoon hours. The contract is currently held by Capital Contractors, Inc. The proposed change order to the contract would adjust the cleaning services to be provided daily from May 24th, 2018 through September 9th, 2018.

Current Contract Language: The current contract language for 8th Street Tennis Court requires "multiple daily cleanings Monday through Sunday between the hours of 7:00am through 3:00pm". Restrooms shall be cleaned and stocked every (2) hours (4) cleanings per day. The proposed change order would extend the closing time from 3:00pm until 8:00pm therefore increasing the cleanings per day to (6).

New monthly charge: The currently monthly charge for the cleaning of the 8th Street Tennis Court Building is \$1,141.85, or a seasonal total of \$4,567.40. The new monthly amount for the additional, daily five hours of service is \$1,738.25, or a seasonal total of \$6,953.00. A certification of funds has been made available by the Chief Financial Officer.

39th Street Tennis Building: In 2018 Avalon Borough Council approved date changes for the opening of the 39th Street Tennis Courts. With this change the Recreation Department is requesting a proposal for a change in contract.

Current Contract Language: The current contract language for 39th Street states "multiple cleanings ever (2) hours, (6) cleanings per day through Sept 7th". The proposed change order would extend the closing day until Sept 9th.

New monthly charge: The current monthly charge for cleaning 39th Street bathrooms is \$546.00. The new monthly charge will be \$596.40. The total increase for this change will be \$176.40. A certification of funds has been made available by the Chief Financial Officer.

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Overall Changes to the Contract: The Avalon Department of Recreation is asking for an overall change order of \$2,562 to accommodate the contract changes at both facilities. Future contracts will be reflective of these changes.

Scott Wahl reported the plans for the pickleball courts has been published to the Borough's social media page, and that announcement has generated more public interest than any other item, absent a storm event.

Bill Macomber noted the contract for cleaning services will be expiring December 31, 2018 and will need to be rebid. These changes would be incorporated into the new contract documents.

Council agreed to proceed with a Resolution to be prepared for the May 9, 2018 Regular Meeting.

Discussion regarding Resolution renewing Shared Services with the County of Cape May for Heavy Equipment Fleet Maintenance.

Jim Waldron reported the County has adopted a Resolution authorizing this agreement and has forwarded a signed copy of the agreement to the Borough. This agreement is for a five-year term, and appears to be in line with the previous agreement. The agreement has been sent to Steve Barse for his review. The County is requesting that the Solicitor sign the agreement as to legality and form.

Bill Macomber indicated a negotiation has taken place with the County in regard to this agreement. A Shared Services Agreement has been executed with the County for these services since 2011, however the original agreement did not include an increase in payment for services. The negotiations concluded with the Borough receiving a 6% increase from the 2011 amount with an automatic 2% increase per year thereafter for the next five years.

Councilman Covington asked if the work to be performed is the same as what was included in the original agreement.

Bill Macomber responded yes.

Steven Fabietti reported Steve Barse has reviewed the agreement and has determined the agreement is in line with previous agreements and is acceptable for the Borough.

Council agreed to proceed with a Resolution to be prepared for the May 9, 2018 Regular Meeting.

Discussion regarding Resolution authorizing submission for the 2017 Municipal Recycling Tonnage Grant.

Council agreed to proceed with a Resolution for this annual item to be considered at today's Regular Meeting.

Public Comments

Council President McCorristin announced that Steven Fabietti, Esq. is attending the Council Meeting as the Borough Solicitor in Steve Barse's absence.

Travis Marshall, 885 21st Street, made the following public comment: "I am here again and again dismayed that there's no mention or no future discussion again today on videotaping and livestreaming these meetings. And I can't help but think, had these meetings been videotaped while I went through the wrath that you folks put upon me with the marina, and I think that it would have been different. I think it would have been very different. I think one day you'll understand. You put me through three and a half years of hell. This Council spent over half of a million dollars suing the Marina, and now settling with the Marina, and I think if the taxpayers really knew what was going on, you should all resign, to be honest with you. I'm finding out more and more, people ask me every day, "what happened at the Marina?" As I'm about to bulldoze this place, every day people ask me, and I've got to tell you, it was a crime what you folks did. And I think if this was videotaped, and I think that if you video-stream this, that it

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Travis Marshall (continued) would never happen again to that degree, because I think there would be public outrage. And, there is public outrage mounting. And this is a promise, I'm going to be putting together an infomercial that's going to explain exactly what happened, and we're going to go through dates and times, and we are working on this right now, and we're going to do a bang-up job. And this Borough is going to get exposed for what it did. Thank you very much for your time."


Council President McCorristin reported the Borough is working on bringing a proposal to the group to evaluate Council's sentiment regarding the videotaping and livestreaming of meetings.

Motion made by Council President McCorristin, seconded by Council Vice President Deever to adjourn the Work Session.

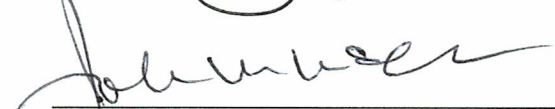
<u>ROLL CALL VOTE:</u>	Councilman Covington	Aye
	Councilman Dean	Absent
	Council Vice President Deever	Aye
	Councilwoman Hudanich	Aye
	Council President McCorristin	Aye

Work Session adjourned at 4:15 p.m.

Respectfully submitted,



 Marie J. Hood, Borough Clerk



 John M. McCorristin, Council President