

February 27, 2019

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, February 27, 2019 at 4:47 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 Deever.

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

Also present:

Scott Wahl, Business Administrator
James Waldron, Assistant Business Administrator
Nicole Curio, Borough Solicitor
William Macomber, Public Works
Paul Short, Code Enforcement Official
James V. Craft, Chief Financial Officer
John Roscoe, Police Captain
Thomas R. Thornton, P.E., Borough Engineer, Mott Macdonald
Monica Coskey, 7 Mile Publishing

Council President Deever read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included in the Annual Schedule of Meetings dated June 27, 2018. 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 – January 23, 2019

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

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

Work Session, Agenda Session, Regular Meeting – February 13, 2019

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

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

Ordinance:

Introduction and first reading by title only of Ordinance No. 783-2019:

Motion made by Council Vice President Covington, seconded by Councilman McCorristin that Ordinance No. 783-2019 be brought on for first reading by title only.

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

Borough Clerk read aloud Ordinance No. 783-2019:

Ordinance No. 783-2019:

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 Council Vice President Covington, seconded by Councilman McCorristin that Ordinance No. 783-2019 be passed on first reading and advertised according to law.

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

Public Comments Regarding Resolutions:

None.

<u>Resolution No. 43-2019:</u>	A RESOLUTION REGARDING THE LOCAL MUNICIPAL BUDGET OF THE BOROUGH OF AVALON, COUNTY OF CAPE MAY FOR THE FISCAL YEAR 2019
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Motion made by Councilwoman Hudanich, seconded by Council Vice President Covington that the resolution be adopted.

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

Borough Clerk read:

The 2019 Local Municipal Budget Summary is available at the back of the room this evening. Copies of the introduced 2019 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 April 10, 2019.

Resolution No. 44-2019: A RESOLUTION REGARDING THE 2019 LOCAL MUNICIPAL BUDGET EXAMINATION

Motion made by Councilwoman Juzaitis, seconded by Councilman McCorristin that the resolution be adopted.

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

Resolution No. 45-2019: A RESOLUTION OF SUPPORT FROM THE BOROUGH COUNCIL OF THE BOROUGH OF AVALON AUTHORIZING THE SUBMISSION OF SUSTAINABLE JERSEY GRANT APPLICATION

Motion made by Councilwoman Juzaitis, seconded by Councilman McCorristin that the resolution be adopted.

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

Resolution No. 46-2019: A RESOLUTION AUTHORIZING JOSEPH S. CLARK, QUALIFIED PURCHASING AGENT FOR THE BOROUGH OF AVALON TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR CELLULAR SPACE ON PUBLIC SAFETY TOWER

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

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

Resolution No. 47-2019: A RESOLUTION ADOPTING THE CASH MANAGEMENT PLAN OF THE BOROUGH OF AVALON FOR THE YEAR 2019

Motion made by Councilman McCorristin, seconded by Councilwoman Juzaitis that the resolution be adopted.

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

Resolution No. 48-2019: A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF STONE HARBOR FOR A MUNICIPAL WARMING CENTER FOR A TERM OF TWO (2) YEARS COMMENCING MARCH 1, 2019

Motion made by Council Vice President Covington, seconded by Councilwoman Juzaitis that the resolution be adopted.

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

Resolution No. 49-2019: A RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 FOR SURFSIDE PARK SITE IMPROVEMENTS, CONTRACT M-109

Motion made by Councilwoman Juzaitis, seconded by Council President Deever that the resolution be adopted.

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

Resolution No. 50-2019: A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTS FOR VARIOUS SPORTS AND EDUCATIONAL CAMPS FOR THE 2019 SEASON

Resolution No. 51-2019: A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR MUNICIPALLY OWNED AND/OR CONTROLLED PICKLEBALL COURTS

Resolution No. 52-2019: A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR MUNICIPALLY OWNED AND/OR CONTROLLED TENNIS COURTS

Resolution No. 53-2019: A RESOLUTION AUTHORIZING THE RECREATION DEPARTMENT TO ESTABLISH A SUMMER BASKETBALL LEAGUE

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

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

Resolution No. 54-2019: A RESOLUTION A RESOLUTION DESIGNATING THE BOROUGH CLERK AND DEPUTY BOROUGH CLERK TO ISSUE CERTIFICATES AS TO LIABILITY FOR ASSESSMENT OF MUNICIPAL IMPROVEMENTS EFFECTIVE FEBRUARY 1, 2019 THROUGH JANUARY 31, 2020

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

ROLL CALL VOTE:

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

Resolution No. 55-2019: A RESOLUTION GRANTING A 2019 AMUSEMENT GAMES LICENSE TO TWO BITS AMUSEMENTS, INC.FOR PREMISES LOCATED AT 2805-07-09 BOARDWALK, AVALON, NEW JERSEY

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

ROLL CALL VOTE:

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

Resolution No. 56-2019: A RESOLUTION ESTABLISHING CHANGE FUNDS FOR OPERATION OF VARIOUS SUMMER FUNCTIONS FOR THE 2019 SEASON

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

ROLL CALL VOTE:

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

Resolution No. 57-2019: A RESOLUTION AUTHORIZING THE SCHEDULING OF A PUBLIC HEARING IN ACCORDANCE WITH N.J.S.A. 40:60-51.2 UPON APPLICATION FOR RELEASE OF CERTAIN DEED RESTRICTIONS IMPOSED UPON CERTAIN PROPERTIES WITHIN THE BOROUGH OF AVALON, TO WIT: BLOCK 42.05, LOT 4 (4718 OCEAN DRIVE)

Motion made by Councilwoman Juzaitis, seconded by Councilman McCorristin that the resolution be adopted.

ROLL CALL VOTE:

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

Resolution No. 58-2019: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

Motion made by Councilwoman Juzaitis, seconded by Councilman McCorristin that the resolution be adopted.

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

Ordinances:

Introduction and first reading by title only of Ordinance No. 784-2019:

Motion made by Councilman McCorristin, seconded by Council President Deever that Ordinance No. 784-2019 be brought on for first reading by title only.

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

Borough Clerk read aloud Ordinance No. 784-2019:

Ordinance No. 784-2019:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 10
(LICENSES AND PERMITS), SECTION 17 (JITNEYS) OF THE CODE OF
THE BOROUGH OF AVALON, 2013

Motion made by Councilman McCorristin, seconded by Council President Deever that Ordinance No. 784-2019 be passed on first reading and advertised according to law.

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

Second reading, public hearing and final action on Ordinance No. 781-2018:

Borough Clerk read aloud Ordinance No. 781-2018:

Ordinance No. 781-2018:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 27
ENTITLED ZONING OF THE AVALON BOROUGH CODE TO CLARIFY
AND REAFFIRM THAT THE SALE OF MARIJUANA IS A PROHIBITED
USE WITHIN ALL ZONING DISTRICTS IN THE BOROUGH OF AVALON

Motion made by Councilwoman Hudanich, seconded by Council Vice President Covington that Ordinance 781-2018, as currently drafted, be tabled without any further action pending the amendment thereof and re-introduction on March 13, 2019, and the re-advertisement of the amended Ordinance with a public hearing to be scheduled on April 10, 2019 at the regularly scheduled meeting of Borough Council.

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

Reports and Recommendations by Mayor and Officials:

Reports of Officials:

Scott Wahl read the following report: I attended a brief instruction meeting for the dredging project in Pennsylvania Harbor, which will result in approximately 1700 cubic yards of sandy material being removed from the navigation channel. It is anticipated that our contractor, Trident Piling Company, LLC will mobilize on March 25, 2019. The dredging work will begin on March 27, 2019, the entire project will take a minimum of 5 days and a maximum of 10 days.

Annual and Monthly Reports of Officials:

2018 Annual Reports and Month of January, 2019:

Borough Clerk and Registrar's Reports submitted by C. Danielle Nollett.

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.

Recreation Revenue Reports submitted by Charles McDonnell.

Tax Collector & Water Sewer Control Account Reports submitted by Alexis Coan.

Zoning Reports submitted by Jeffrey R. Hesley.

Motion made by Councilman McCorristin, seconded by Councilwoman Juzaitis that the reports be approved as submitted.

ROLL CALL VOTE:

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

Pending business.

None.

New business

After brief discussion, Council was unanimous in their decision to reschedule the May 22, 2019 Council Meeting to May 29, 2019 at 4:00 p.m due to scheduling conflicts.

Public Comments:

Hugh Giordano, Blackwood, NJ: reaffirmed his offer for Council, Scott Wahl, and members of the Police Department to visit the Garden State Dispensary, take a full tour and speak with medical professionals prior to reintroducing Ordinance 781-2018.

Resolution No. 59-2019: 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 CONCERNING 5499 DUNE DRIVE

Motion made by Councilwoman Juzaitis, seconded by Council President Deever that the resolution be adopted.

ROLL CALL VOTE:

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

February 27, 2019

Motion made by Councilwoman Juzaitis, seconded by Council President Deever to recess the public portion of the Regular Meeting and go into Closed Session.

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

Council President Deever announced no official action will be taken during the Closed Session.

Public portion of Regular Meeting recessed at 5:01 p.m.

Motion made by Councilwoman Hudanich, seconded by Council Vice President Covington to adjourn the Closed Session and go back into public portion of the Regular Meeting.

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

Public Portion of Regular Meeting reconvened at 5:31 p.m.

Present:

Council President Deever
Council Vice President Covington
Councilwoman Hudanich
Councilman McCorristin
Councilwoman Juzaitis
Scott Wahl, Business Administrator
James A. Waldron, Assistant Business Administrator
Nicole Curio, Borough Solicitor

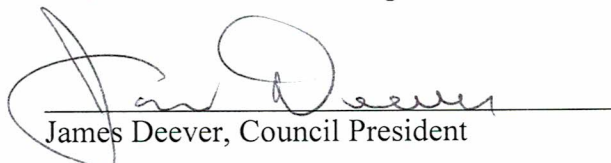
Motion made by Councilwoman Hudanich, seconded by Council Vice President Covington to adjourn the Regular Meeting.

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

Regular Meeting adjourned at 5:31 p.m.

Respectfully submitted,


C. Danielle Nollett, Borough Clerk


James Deever, Council President