

September 25, 2019

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, September 25, 2019 at 4:56 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - 4

Reporters - - - - - 1

The meeting was called to order by Council President Hudanich.

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

Also present:

Scott Wahl, Business Administrator
James Waldron, Assistant Business Administrator
Nicole Curio, Esquire, Borough Solicitor
Paul Short, Code Enforcement Official
William Macomber, Director of Public Works/Utilities
Police Chief, Jeffrey R. Christopher
Thomas R. Thornton, P.E., Borough Engineer, Mott Macdonald
Ed Dean, Fire Chief

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 26, 2019. It was given to the news media and posted on the Official Bulletin Board as required by law.

Minutes:

Work Session, Regular Meeting – September 11, 2019

Motion made by Councilman Wierman, seconded by Councilwoman Juzaitis that the minutes be approved as submitted.

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

Public comments regarding Resolutions:

None.

<u>Resolution No. 157-2019:</u>	A RESOLUTION AUTHORIZING SPECIAL COUNSEL ALAN I GOULD, ESQUIRE TO FILE AN IN REM FORECLOSURE ACTION ON BEHALF OF THE BOROUGH FOR A LEGAL FEE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) PLUS REIMBURSEMENT FOR COURT FILING FEES AND RECORDING COSTS IN A FURTHER AMOUNT NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00)
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Motion made by Council Vice President McCorristin, seconded by Councilman Deever that the resolution be adopted.

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

Resolution No. 158-2019: A RESOLUTION AUTHORIZING INSTITUTION OF IN REM FORECLOSURE PROCEEDINGS GROUP NO. 2019

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

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

Resolution No. 159-2019: A RESOLUTION AUTHORIZING THE RELEASE OF CERTAIN DEED RESTRICTIONS PERTAINING TO A TWO-STORY HEIGHT RESTRICTION FOR THE FOLLOWING DESCRIBED PROPERTY: BLOCK 22.09 LOT 66 (756 21st STREET)

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

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

Resolution No. 160-2019: A RESOLUTION AUTHORIZING THE DONATION OF SURPLUS FIRE DEPARTMENT EQUIPMENT TO THE SEA ISLE CITY FIRE DEPARTMENT

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

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

Resolution No. 161-2019: A RESOLUTION AUTHORIZING CERTAIN SERVICES TO BE PERFORMED BY TAYLOR DESIGN GROUP, INC. AT ARMACOST PARK IN THE CREATION OF A POLLINATOR HABITAT; CONFIRMING ACTION PREVIOUSLY TAKEN AND AUTHORIZING PAYMENT IN THE AMOUNT OF SIX THOUSAND FOUR HUNDRED AND FIFTY-FOUR DOLLARS AND FIFTY CENTS (46454.50)

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

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

Resolution No. 162-2019: A RESOLUTION DECLINING TO EXERCISE ADDITIONAL ONE-YEAR OPTIONS WITH JERSEY CAPE DIAGNOSTIC SERVICES, INC. FOR CLEANING AND CUSTODIAL SERVICES OF BOROUGH FACILITIES, PROVIDING NOTICE OF THE BOROUGH'S INTENT TO HAVE THE CURRENT CONTRACT EXPIRE AT THE END OF THE INITIAL ONE YEAR PERIOD AND AUTHORIZING BOROUGH OFFICIALS TO PROVIDE SAID NOTICE TO JERSEY CAPE DIAGNOSTIC SERVICES, INC., CONSISTENT WITH THE TERMS OF THAT CONTRACT AND CONSISTENT WITH THE INTENT OF THIS RESOLUTION

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

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

Resolution No. 163-2019: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

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

Introduction and first reading by title only of Ordinance No. 792-2019:

Motion made by Councilman Wierman, seconded by Councilman Deever that Ordinance No. 792-2019 be brought on for first reading by title only.

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

Borough Clerk read aloud Ordinance No. 792-2019:

Ordinance No. 792-2019:

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE 8TH STREET JETTY, BY AND IN THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY; APPROPRIATING \$2,300,000 THEREFOR (INCLUDING A GRANT EXPECTED TO BE RECEIVED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY) AND AUTHORIZING THE ISSUANCE OF \$2,185,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Motion made by Councilman Wierman, seconded by Councilman Deever that Ordinance No. 792-2019 be passed on first reading and advertised according to law.

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

Reports and Recommendations by Mayor and Officials:

Reports of Officials:

Scott Wahl reported he will be attending a pre-construction meeting on September 26, 2019 with Thomas Thornton, Dr. Stewart Farrell, William Macomber in Stone Harbor attending regarding the beach fill project. It is the intent of the Army Corps to award the base contract of approximately 425,000 cubic yards of sand for the Borough of Avalon. Funding from the DEP would pay for approximately an additional 50,000 cubic yards of material, which will bring the total beach fill to approximately 500,000 cubic yards of sand to the beach. This project would eliminate the necessity of a backpassing project for the Borough in 2020. Administration intends to ask when the project will start and what the Borough's options are to add more sand to the project, if needed.

Monthly Reports:

Month of August, 2019:

Borough Clerk and Registrar's Report submitted by C. Danielle Nollett.
Bureau of Fire Prevention, Bureau of Licensing, Miscellaneous Construction Collection, Construction Water and Sewer, Uniform Construction Code & Taxicab Reports submitted by John Tracy.
Code Enforcement Report submitted by Paul E. Short, Sr.
Municipal Court Report submitted by Deborah Scott.
Municipal Engineering Report submitted by Thomas Thornton.
Police Department Report submitted by Chief Jeffrey Christopher.
Public Works Department Report submitted by William Macomber.
Recreation Revenue Report submitted by Chuck McDonnell.
Tax Collector & Water Sewer Control Account Reports submitted by Alexis Coan.
Zoning Report submitted by Amanda Seltzer.

Motion made by Council Vice President McCorristin, seconded by Councilwoman Juzaitis that the reports be received and filed.

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

Pending business.

None.

New business

None.

Public Comments:

None.

Resolution No. 164-2019:

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
POTENTIAL AGREEMENT WITH ICONA GOLDEN
INN REGARDING A PORTION OF 79TH STREET

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

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

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

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

Council President Hudanich announced official action will not be taken after the Closed Session.

Public portion of Regular Meeting recessed at 5:05 p.m.

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

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

Public Portion of Regular Meeting reconvened at 5:13 p.m.

Present:

Council President Hudanich
Councilman Deever
Councilwoman Juzaitis
Council Vice President McCorristin
Councilman Wierman
Scott Wahl, Business Administrator
James A. Waldron, Assistant Business Administrator
Nicole Curio, Esquire, Gruccio, Pepper, DeSanto & Ruth, P.A.

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

ROLL CALL VOTE:

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

Regular Meeting adjourned at 5:15 p.m.

Respectfully submitted,

C. Danielle Nollett
C. Danielle Nollett, Borough Clerk

Nancy M. Hudanich
Nancy M. Hudanich, Council President