

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, January 22, 2020 at 4:37 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - 2 Reporters - - - - - 0

The meeting was called to order by Council President Hudanich.

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

Also present:
Scott Wahl, Business Administrator
James Waldron, Assistant Business Administrator
Nicole Curio, Esquire, Borough Solicitor
Thomas R. Thornton, P.E., Borough Engineer, Mott Macdonald
Jeffrey R. Christopher, Police Chief
Steve Camp, Assistant Director of Public Works/Utilities
Paul Short, Code Enforcement Official

Council President Hudanich read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting change was included in an updated Schedule of Meetings dated June 27, 2019. It was given to the news media and posted on the Official Bulletin Board as required by law.

Minutes:

Public Hearing, Work Session, Regular Meeting – January 8, 2020

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

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

Public comments regarding Resolutions:

Martha Wright, 632 7th Street referenced the first Resolution on the agenda authorizing a Place-to-Place transfer on behalf of Z21 Corp, and mentioned knowledge of the item being discussed at Work Sessions held by Council on December 18, 2019 and January 8, 2020. She noted her inability to attend the Council Meeting held January 8, 2020 and inquired as to what was being authorized by Council in the Resolution being considered this evening.

Council President Hudanich stated the Resolution being considered this evening grants the Place-to-Place Transfer to expand the licensed premises to include a newly constructed outdoor patio. The application also requested release or relief of a Special Condition restricting the sale of alcohol to outdoor dining patrons past 12:00 midnight, and that time is not being changed.

Councilman McCorristin clarified the wording of the Special Condition has changed so that the bar cannot serve people past 12 midnight, however if an outdoor patron has an alcoholic beverage in their possession that was served prior to midnight, they are permitted to take their time consuming their beverage, even if the consumption lasts past 12 midnight.

Council President Hudanich explained there was a need for more explicit verbiage pertaining to that condition, which has been clarified. Alcoholic beverage service will still cease at midnight.

Resolution No. 27-2020: A RESOLUTION AUTHORIZING PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0501-33-008-006 HERETOFORE ISSUED TO BEHALF OF Z21 CORP T/A SEA GRILL, PRINCETON BAR & GRILL, AND CIRCLE TAVERN

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

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

Resolution No. 28-2020: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE PROFESSIONAL ENGINEERING SERVICES, BID PHASE SERVICES, AND ADVERTISE FOR BIDS FOR SANITARY SEWER SYSTEM IMPROVEMENTS, 21ST STREET AND FIRST AVENUE FOR THE LUMP SUM AMOUNT OF NINETEEN THOUSAND THREE HUNDRED DOLLARS (\$19,300.00)

Resolution No. 29-2020: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE SUVEYING AND BASE MAP PREPARATION, DESIGN, PREPARATION OF PLANS AND SPECIFICATIONS, BID PHASE SERVICES AND ADVERTISE FOR BIDS FOR 30TH STREET STORMWATER OUTFALL REPAIR FOR THE LUMP SUM AMOUNT OF FIFTEEN THOUSAND DOLLARS (\$15,000.00)

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

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

Resolution No. 30-2020: A RESOLUTION APPROVING THE CERTIFIED LIST OF INDIVIDUALS QUALIFYING FOR 2019 LENGTH OF SERVICE PROGRAM CREDITS

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

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

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Resolution No. 31-2020: A RESOLUTION AUTHORIZING PAYMENT OF
BILLS

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

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

Ordinance:

Second reading, public hearing and final action on Ordinance No. 797-2020:

Motion made by Councilman Wierman, seconded by Councilwoman Juzaitis that Ordinance No. 797-2020 be brought on for second reading, public hearing and final action.

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

Borough Clerk read aloud Ordinance No. 797-2020:

Ordinance No. 797-2020:

AN ORDINANCE ESTABLISHING SALARY RANGES FOR THE OFFICIALS, OFFICERS, AND EMPLOYEES OF THE BOROUGH OF AVALON TO BE KNOWN AS "THE SALARY ORDINANCE OF 2020" AND AMENDING AND SUPPLEMENTING ORDINANCE No. 739-2016

Council President Hudanich opened the meeting for public hearing on Ordinance No. 796-2020 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilman Wierman, seconded by Councilwoman Juzaitis that the public hearing be closed.

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

Motion made by Councilman Wierman, seconded by Councilwoman Juzaitis that Ordinance No. 797-2020 be finally adopted, submitted to the Mayor for approval and advertised according to law.

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

Reports and Recommendations by Mayor and Officials:
Reports of Officials:

Scott Wahl read the following report:

39th Street Pumping Station: The CMCMUA is in the process of a major project to rehabilitate the interior of our Pumping Stations. To accomplish this, the pumping stations themselves must be setup with bypass pumping outside of the station.

The work at the pump station located at 39th street is scheduled to being the first week in February and last through the end of April, with the bypass operation being set up from 2/4/20 through 3/18/20. The bypass set up will not interrupt any service within Avalon. It will limit access to the tennis court parking lot from the Ocean Drive Side and limit walking paths in front of the station.

Atlantic County JIF: The JIF announced that a substantial dividend is being released to all of the members of the Fund due to the performance of its members. This year, Avalon is awarded a \$71,797 dividend that will be applied as a credit to the second quarter assessment. Also, I serve on the JIF's Safety Committee and the Committee decided to elevate the criteria for members to earn various safety incentive bonuses. I voted in favor of that measure. We intend to come before Council next month to ask for a formal resolution that would authorize the Borough to participate in the new Safety Incentive Program which was discussed in detail at our municipal safety meeting last week.

U of Pennsylvania Resiliency Conference: Last Thursday I attended the resiliency conference held at the University of Pennsylvania that was attended by about 75 invited guests. Avalon had the privilege of hosting the first discussion with Dave Rosenblatt from NJDEP who is now the new Assistant Commissioner of Resiliency and is required by executive order to present the first resiliency document to the Governor by September 20th. A few takeaways from the conference for Avalon include 1) The State will be looking for communities with a dedicated source of funding for resiliency projects when it identifies pilot projects and a funding source; 2) There are additional sources of grant funding that I identified at the conference for these projects; 3) Other states have granted the ability to use dredge material for things like core of dunes and living shorelines, even deep water disposal and New Jersey appears to be going in that direction as well. I have a few ideas that will advance Avalon's efforts for which I would like to bring to Council sometime in the first quarter for consideration.

Louisiana, Ohio and even a project in North Jersey are now using dredge spoils innovatively and we have been restricted in New Jersey of how we can use this material: it must be tested, clean, consistency, sand ratio, etc. Discussions have taken place with representatives of Louisiana and Ohio who have copious opportunities to use the same type of material that we do. Steve Morey from Mott MacDonald agrees the Borough should take a look at the economic benefit of beach restoration. Why can't this material be used for the core of dunes, which will create a firm structure and allow more sand to be available for beach nourishment. Another thing is with this living shore line, and the Wetland's Rehabilitation, there has to be some science out there that looks at this to say this material could be used for these projects. With the encouragement and support of FEMA, Council and the Mayor, it is being requested to initiate more conversations with Mr. Rosenblatt in his new role to say the Borough is committed to dredging materials and are advocating better use of those spoils.

Council President Hudanich spoke in favor of better utilizing dredging spoils and noted her experience in watching a presentation entitled "There's Soil in the Spoils" which detailed a Union City shopping mall on dredging spoils. She advocated for viewing such use through a financial lens for smarter management.

Monthly Reports:

Month of December 2019

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

Amended Monthly Reports:

Months of February, March, September, October and November 2019

Beach Vehicle Reports submitted by John Tracy.

Motion made by Councilman McCorristin, seconded by Councilman Wierman that the reports be approved.

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

Pending business.

None.

New business

None.

Public Comments:

None.

Resolution No. 32-2020:

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 THE FOLLOWING FOUR MATTERS: ATTORNEY-CLIENT PRIVILEGE INVOLVING ANTICIPATED LITIGATION CONCERNING CONTRACT M-108 WITH WICKBERG MARINE CONSTRUCTION, INC.; ATTORNEY-CLIENT PRIVILEGE INVOLVING ANTICIPATED LITIGATION CONCERNING TIDELANDS CLAIM REGARDING BLOCK 56.04, LOT 42; PERSONNEL CONCERNING ROTATION OF BOROUGH COUNCIL OFFICES OF PRESIDENT AND VICE PRESIDENT; AND ATTORNEY-CLIENT PRIVILEGE CONCERNING PERSONNEL CONTRACT NEGOTIATIONS

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

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

January 22, 2020

Council President Hudanich announced official action may be taken after the Closed Session.

Public portion of Regular Meeting recessed at 4:59 p.m.

Public Portion of Regular Meeting reconvened at 5:50 p.m.

Present:

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

Resolution No. 33-2020: A RESOLUTION AUTHORIZING THE EXECUTION OF AN EMPLOYMENT CONTRACT BETWEEN THE BOROUGH OF AVALON AND SCOTT WAHL AS BUSINESS ADMINISTRATOR, AND APPROVING JOB DESCRIPTIONS FOR THE BUSINESS ADMINISTRATOR; PERSONNEL DIRECTOR/OFFICER; AFFIRMATIVE ACTION OFFICER; PUBLIC AGENCY COMPLIANCE OFFICER; AND PUBLIC INFORMATION OFFICER FOR A SPECIFIED TERM

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

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

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

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

Regular Meeting adjourned at 5:51 p.m.

Respectfully submitted,

C. Danielle Nollett
C. Danielle Nollett, Borough Clerk

Nancy M. Hudanich
Nancy M. Hudanich, Council President