

March 11, 2020

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, March 11, 2020 at 4:36 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - 2 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
	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
William Macomber, Director of Public Works/Utilities
Paul Short, Code Enforcement Officer
James Craft, Chief Financial Officer
Monica Coskey, Publisher at 7 Mile Publishing & Creative

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:

Work Session, Regular Meeting – February 26, 2020

Motion made by Councilwoman Juzaitis, seconded by Councilman Wierman 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:

None.

<u>Resolution No.</u>	<u>59-2020:</u>	A RESOLUTION ADOPTING A HEALTH & WELLNESS POLICY AND WORKPLACE WELLNESS BEST PRACTICE
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Motion made by Councilman Wierman, seconded by Councilwoman Juzaitis 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

Resolution No. 60-2020: A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTS FOR VARIOUS SPORTS AND EDUCATIONAL CAMPS FOR THE 2020 SEASON

Motion made by Councilman McCorristin, seconded by Council President Hudanich 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

Resolution No. 61-2020: A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR MUNICIPALLY OWNED AND/OR CONTROLLED TENNIS COURTS

Resolution No. 62-2020: A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR MUNICIPALLY OWNED AND/OR CONTROLLED PICKLEBALL COURTS

Motion made by Councilwoman Juzaitis, seconded by Councilman Deever 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. 63-2020: A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THOMAS BARRY MARINE CONSTRUCTION, INC. FOR CONTRACT M-117, INLET DRIVE STONE REMOVAL PROJECT IN THE AMOUNT OF FORTY-FOUR THOUSAND DOLLARS (\$44,000.00)

Resolution No. 64-2020: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR INLET DRIVE STONE REMOVAL PROJECT, CONTRACT M-117 ON A REIMBURSABLE BASIS FOR AMOUNT NOT TO EXCEED SIXTEEN THOUSAND FIVE HUNDRED DOLLARS (\$16,500.00)

Motion made by Councilman Deever, seconded by Councilman McCorristin 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. 65-2020: A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH NORTH AMERICAN PIPE SERVICES, LLC FOR CONTRACT M-118, 30TH STREET STORMWATER OUTFALL REPAIR IN THE AMOUNT OF ONE HUNDRED TEN THOUSAND EIGHT HUNDRED NINETY-TWO DOLLARS (\$110,892.00)

Resolution No. 66-2020: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR 30TH STREET STORMWATER OUTFALL REPAIR, CONTRACT M-118 ON A REIMBURSABLE BASIS FOR AMOUNT NOT TO EXCEED EIGHTEEN THOUSAND DOLLARS (\$18,000.00)

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

ROLL CALL VOTE:

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

Resolution No. 67-2020: A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH SOUTH STATE, INC. FOR CONTRACT NO. 57, SANITARY SEWER SYSTEM IMPROVEMENTS, 21ST STREET AND FIRST AVENUE, IN THE AMOUNT OF FOUR HUNDRED NINETEEN THOUSAND TWO HUNDRED SIXTY-SEVEN DOLLARS (\$419,267.00)

Resolution No. 68-2020: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR SANITARY SEWER SYSTEM IMPROVEMENTS, 21ST STREET AND FIRST AVENUE, CONTRACT NO. 57 ON A REIMBURSABLE BASIS FOR AMOUNT NOT TO EXCEED THIRTY-SIX THOUSAND DOLLARS (\$36,000.00)

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

ROLL CALL VOTE:

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

Resolution No. 69-2020: A RESOLUTION AUTHORIZING THE PARTIAL RELEASE OF A PERFORMANCE GUARANTEE IN THE AMOUNT OF EIGHTY THOUSAND NINE HUNDRED THIRTY-EIGHT DOLLARS (\$80,938.00) SUBMITTED BY THOMAS J. WELSH, JR. FOR 885 21ST STREET, AVALON

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

ROLL CALL VOTE:

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

Resolution No. 70-2020: 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 17.03, LOT 27 (129 18TH STREET)

Motion made by Councilman Wierman, seconded by Council President Hudanich 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. 71-2020: A RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 FOR RECONSTRUCTION OF VARIOUS STREETS, CONTRACT M-111

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. 72-2020: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

Motion made by Councilman McCorristin, seconded by Councilman Deever 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

Introduction and first reading by title only of Ordinance No. 800-2020:

Motion made by Councilman Deever, seconded by Councilman McCorristin that Ordinance No. 800-2020 be brought on for first reading by title only as amended.

<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. 800-2020:

Ordinance No. 800-2020:

AN ORDINANCE AMENDING CHAPTER 9 OF THE AVALON BOROUGH CODE, SECTION 9-1.2 THEREOF PERTAINING TO CERTAIN BEACH FIRES

March 11, 2020

Motion made by Councilman Deever, seconded by Councilman McCorristin that Ordinance No. 800-2020 be passed on first reading 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

Second reading, public hearing and final action on Ordinance No. 798-2020:

Motion made by Councilman McCorristin, seconded by Councilwoman Juzaitis that Ordinance No. 798-2020 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. 798-2020:

Ordinance No. 798-2020:

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

Council President Hudanich opened the meeting for public hearing on Ordinance No. 798-2020 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilman McCorristin, 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 McCorristin, seconded by Councilwoman Juzaitis that Ordinance No. 798-2020 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

Second reading, public hearing and final action on Ordinance No. 799-2020:

Motion made by Councilwoman Juzaitis, seconded by Councilman Deever that Ordinance No. 799-2020 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. 799-2020:

Ordinance No. 799-2020:

AN ORDINANCE AMENDING CHAPTER 10 (LICENSES AND PERMITS) OF THE CODE OF THE BOROUGH OF AVALON PERTAINING TO THE LICENSING OF AUTOCABS (TAXICABS) AND THE LICENSING AND REGULATION OF LOW-SPEED VEHICLES ENGAGED IN THE TRANSPORTATION OF PASSENGERS WITHOUT CHARGING A FEE OR OTHER COMPENSATION

Council President Hudanich opened the meeting for public hearing on Ordinance No. 799-2020 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilwoman Juzaitis, seconded by Councilman Deever 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 Councilwoman Juzaitis, seconded by Councilman Deever that Ordinance No. 799-2020 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 of Officials:
Scott Wahl read the following report:

Ingram’s Thorofare Bridge: The second of two consecutive overnight closures of the bridge is anticipated this evening. It was brought to my attention today that the bridge was not open as advertised by 5:00 a.m. this morning which caused confusion for motorists. At 2:30 p.m. today I brought that to the attention of Cape May County Engineer Robert Church who assures me the Cape May County contractor was going to be corrected before the start of this Council meeting.

AHLOA: The Borough wishes to thank the Avalon Home and Land Owners Association in advance for the opportunity to present an overview of the 2020 Avalon Municipal Budget at its meeting Saturday morning at the Avalon Senior Center. Councilman McCorristin will lead the discussion.

Avalon Recreation: Avalon Recreation Department pee-wee basketball ended Friday February 28th with our annual end of the season banquet. We had approximately 192 people in attendance. It was a very successful season. We offer two age groups, Pre-K and K, and 1st and 2nd grade. We practice every Friday night during the season and games on Saturdays. Parent volunteer coaches conduct the practices and monitor the games. Kids are learning how to dribble, pass, shoot, proper footwork, and having fun while doing it. The Pre-K and K division had 52 participants, and the 1st and 2nd grade division had 57 participants. Participants come from all over the county to take part in this program. The season runs from January through February every year.

Council President Hudanich reported the population of preschoolers has boomed in Cape May County to the extent that Lower and Middle Township Schools are expected to expand their Pre-K classrooms. She noted this is good news for the County demographics, as the student population has dwindled over the last five years. She expressed excitement about these expanding age groups, and congratulated all of the basketball teams on their success.

Councilman Deever added the pee-wee basketball season was well received this year and was well-run by the girls’ basketball team in Middle Township.

Councilwoman Juzaitis spoke highly of the program and expressed excitement at the attendance figures and those that came out to support the players.

Pending Business:

None.

New Business:

None.

Public Comments:

None.

Resolution No. 73-2020: 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 CONTRACT NEGOTIATIONS IN CONNECTION WITH A POTENTIAL SHARED SERVICES AGREEMENT WITH THE CITY OF WILDWOOD FOR BUILDING SUBCODE OFFICIAL

Motion made by Councilman Wierman, seconded by Council President Hudanich 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 Councilman McCorristin, seconded by Councilwoman Juzaitis 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
	Councilman McCorristin	Aye
	Councilman Wierman	Aye
	Council President Hudanich	Aye

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

Public portion of Regular Meeting recessed at 4:51 p.m.

Public Portion of Regular Meeting reconvened at 5:20 p.m.

Present:

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

Resolution No. 74-2020: A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF AVALON AND THE CITY OF WILDWOOD FOR BUILDING SUBCODE OFFICIAL SERVICES FOR A TERM OF THREE (3) YEARS

Motion made by Councilman McCorristin, seconded by Council President Hudanich 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 Council President Hudanich, seconded by Councilman McCorristin 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 5:21 p.m.

Respectfully submitted,


C. Danielle Nolle, Borough Clerk


Nancy M. Hudanich, Council President