

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, April 8, 2020 at 4:20 p.m.

Attendance: Public - - - - - 8 Reporters - - - - - 1

The meeting was called to order by Council President Hudanich.

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| <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
William Macomber, Director of Public Works/Utilities
Police Chief Jeffrey R. Christopher
James Craft, Chief Financial Officer
Michael Garcia, Ford Scott & Associates, LLC

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 27, 2019. It was given to the news media and posted on the Official Bulletin Board, as required by law. Notice of the change of meeting structure to a telephone conference call was included in a Notice of Meeting Change dated March 31, 2020. That notice was given to the news media, posted on the doors of the municipal building, and posted on the Borough website, as required by law.

Minutes:

Public Hearing, Work Session, Regular Meeting – March 25, 2020

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

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| <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.

Resolution No. 87-2020: A RESOLUTION REGARDING 2019 LOCAL MUNICIPAL BUDGET READ BY TITLE ONLY AS PROVIDED BY N.J.S.A. 40A:4-8

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

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

April 8, 2020

Councilman McCorristin, Scott Wahl, Michael Garcia, Auditor, Ford Scott & Associates, LLC and Councilwoman Hudanich gave a detailed presentation and reviewed the 2020 Local Municipal Budget, a copy of which is hereafter attached to these minutes.

Council President Hudanich announced the meeting is now open for public hearing on the 2020 Local Municipal Budget and asked if there were any questions or comments.

None.

Motion made by Councilman McCorristin, seconded by Council President Hudanich that the public hearing be closed.

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

Resolution No. 88-2020: A RESOLUTION AMENDING THE 2020 LOCAL MUNICIPAL BUDGET

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

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

Resolution No. 89-2020: A RESOLUTION REGARDING 2020 LOCAL MUNICIPAL BUDGET AS FINALLY ADOPTED

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

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

Resolution No. 90-2020: A RESOLUTION AUTHORIZING THE ISSUANCE OF A LICENSE AGREEMENT TO O' HARA FAMILY LTD PARTNERSHP AS OWNER AND LESSOR AND AL FRESCO RISTORANTE, INC., AS TENANT- OPERATOR OF A PROPOSED RESTAURANT AT 2418 DUNE DRIVE, AVALON, NEW JERSEY, BLOCK 24.04, LOT 46.08 C FOR A STATED TERM AND UNDER CERTAIN CONDITIONS AND SUBJECT TO RENEWAL UPON EXPIRATION

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

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

April 8, 2020

Resolution No. 91-2020: A RESOLUTION AUTHORIZING A PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE (HOTEL EXCEPTION) NO. 0501-36-001-008 HERETOFORE ISSUED TO THE WINDRIFT RESORT, INC. T/A WINDRIFT RESORT HOTEL

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

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

Resolution No. 92-2020: A RESOLUTION APPOINTING CLASS I AND CLASS II SPECIAL OFFICERS FOR THE BOROUGH OF AVALON

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

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

Resolution No. 93-2020: A RESOLUTION EXPRESSING SUPPORT FOR LEGISLATION INCREASING STATE FUNDING TO THE "SHORE PROTECTION FUND" FROM \$25 MILLION TO \$50 MILLION (A-639/S-1071)

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

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

Resolution No. 94-2020: A RESOLUTION APPROVING JOB DESCRIPTIONS FOR THE FOLLOWING POSITIONS: CONSTRUCTION OFFICIAL; ASSISTANT CONSTRUCTION OFFICIAL; FLOODPLAIN ADMINISTRATOR; FLOODPLAIN COORDINATOR; CRS COORDINATOR

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

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

Resolution No. 95-2020: A RESOLUTION APPROVING AN EMERGENCY CONTINGENCY PLAN FOR THE AVALON RESCUE SQUAD EFFECTIVE IMMEDIATELY AND FOR THE DURATION OF THE DECLARED STATE OF EMERGENCY AND A DECLARED PUBLIC HEALTH EMERGENCY IN NEW JERSEY DUE TO COVID-19 PANDEMIC

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

ROLL CALL VOTE:

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

Resolution No. 96-2020: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

ROLL CALL VOTE:

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| 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. 803-2020:

Motion made by Councilwoman Juzaitis, seconded by Councilman McCorristin that Ordinance No. 803-2020 be brought on for first reading by title only.

ROLL CALL VOTE:

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

Borough Clerk read aloud Ordinance No. 803-2020:

Ordinance No. 803-2020:

BOND ORDINANCE PROVIDING FOR VARIOUS 2020 CAPITAL IMPROVEMENTS BY AND IN THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY; APPROPRIATING \$2,618,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,145,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Motion made by Councilwoman Juzaitis, seconded by Councilman McCorristin that Ordinance No. 803-2020 be passed on first reading and advertised according to law.

ROLL CALL VOTE:

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| 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. 804-2020:

Motion made by Councilman Deever, seconded by Councilman Wierman that Ordinance No. 804-2020 be brought on for first reading by title only.

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| <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. 804-2020:

Ordinance No. 804-2020:

BOND ORDINANCE PROVIDING FOR VARIOUS 2020 WATER AND SEWER UTILITY IMPROVEMENTS, BY AND IN THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$2,908,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$2,763,600 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF

Motion made by Councilman Deever, seconded by Councilman Wierman that Ordinance No. 804-2020 be passed on first reading and advertised according to law.

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| <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. 801-2020:

Motion made by Councilman Wierman, seconded by Councilwoman Juzaitis that Ordinance No. 801-2020 be brought on for second reading, public hearing and final action.

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

Borough Clerk to read aloud Ordinance No. 801-2020:

Ordinance No. 801-2020:

AN ORDINANCE AMENDING CHAPTER 2 OF THE AVALON BOROUGH CODE (ADMINISTRATION), SECTION 2-2 (BOROUGH COUNCIL) CONCERNING OFFICERS OF BOROUGH COUNCIL AND SECTION 2-6.6 PERTAINING TO THE CONSTRUCTION OFFICIAL AND AUTHORIZING THE POSITION OF ASSISTANT CONSTRUCTION OFFICIAL AND THE BUREAU OF FLOOD DAMAGE PREVENTION

Motion made by Councilman Wierman, seconded by Councilwoman Juzaitis that Ordinance No. 801-2020 be passed on second reading, public hearing and final action.

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

April 8, 2020

Council President Hudanich opened the meeting for public hearing on Ordinance No. 801-2020 and asked if there were any questions or comments.

None.

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

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| <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. 801-2020 be finally adopted, submitted to the Mayor for approval and advertised according to law.

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| <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. 802-2020:

Motion made by Council President Hudanich, seconded by Councilman McCorristin that Ordinance No. 802-2020 be brought on for second reading, public hearing and final action.

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

Borough Clerk to read aloud Ordinance No. 802-2020:

Ordinance No. 802-2020:

AN ORDINANCE AMENDING ORDINANCE 797-2020 KNOWN AS THE SALARY
ORDINANCE OF 2020

Motion made by Council President Hudanich, seconded by Councilman McCorristin that Ordinance No. 802-2020 be brought on for second reading, public hearing and final action.

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

Council President Hudanich opened the meeting for public hearing on Ordinance No. 802-2020 and asked if there were any questions or comments.

None.

April 8, 2020

Motion made by Council President Hudanich, seconded by Councilman McCorristin that the public hearing be closed.

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| <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 that Ordinance No. 802-2020 be finally adopted, submitted to the Mayor for approval and advertised according to law.

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|------------------------|----------------------------|-----|
| <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:

A brief update on the Covid-19 situation, particularly as they relate to new executive orders issued today by Governor Phil Murphy.

First, the total number of cases have increased statewide to 47,437, and the total number of those deceased has increased to 1,504.

Governor Phil Murphy has issued two new executive orders that impact Avalon and other municipalities.

First, the date of the primary election in New Jersey has moved. It will not be held on June 2nd, it will be held on July 7th instead. It is the intention of the Borough to hold this at our typical polling place, Avalon Community Hall.

Second, there is a new executive order regulating construction. I was on a County conference call at 2:30pm today. It appears that any construction for the public good can continue. This appears to include all municipal projects, including but not limited to the reconstruction of the jetty, street projects, the County project on the Ingram's Thorofare Bridge.

It appears that construction on single family homes remains permissible as long as the number of workers on the site remains at five or under. If there are more people on the site, that is a violation of the executive order. This is the interpretation of the County and we expect further guidance. I will make sure this order is on the municipal website and passed on to our enforcement agencies including Avalon Police and Code Enforcement.

Pending Business:

None.

New Business:

None.

Public Comments:

Mark Papineau, 189 34th Street, thanked Mayor Pagliughi for making the difficult decision to close the beaches and the boardwalk to the public and noted his complete support of the directive. He expressed the opinion that the Mayor's decision was made with the safety and health of residents and visitors in mind.

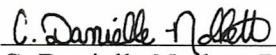
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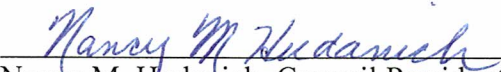
Motion made by Councilman McCorristin, seconded by Council President Hudanich to adjourn the Regular Meeting.

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| <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 4:58 p.m.

Respectfully submitted,


C. Danielle Nollett, Borough Clerk


Nancy M. Hudanich, Council President