

September 23, 2020

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, September 23, 2020 at 5:32 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - 1

Reporters - - - - - 1

The Meeting was called to order by Council President McCorristin.

<u>Roll call:</u>	Council President McCorristin	Present
	Councilman Deever	Absent
	Councilwoman Hudanich	Present
	Councilwoman Juzaitis	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  
Jeffrey R. Christopher, Chief of Police  
Thomas R. Thornton, P.E., Borough Engineer, Mott Macdonald

Council President McCorristin read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included the annual Schedule of Meetings dated June 24, 2020. It was given to the news media and posted on the Official Bulletin Board as required by law.

Minutes:

Work Session, Regular Meeting, Closed Session – September 9, 2020

Motion made by Council President McCorristin, seconded by Councilwoman Juzaitis that the minutes be approved as submitted.

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

Public comments regarding Resolutions:

None.

<u>Resolution No.</u> 171-2020:	A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH ASPHALT PAVING SYSTEMS, INC. OF HAMMONTON, NJ FOR RECONSTRUCTION OF VARIOUS STREETS CONTRACT NO. M-120 IN THE AMOUNT OF ONE MILLION SEVEN HUNDRED FIFTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$1,752,600.00)
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<u>Resolution No.</u> 172-2020:	A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR RECONSTRUCTION OF VARIOUS STREETS, CONTRACT M-120 ON A REIMBURSABLE BASIS FOR AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00)
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Motion made by Councilwoman Hudanich, seconded by Council President McCorristin that the resolution be adopted.

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

<u>Resolution No. 173-2020:</u>	A RESOLUTION ESTABLISHING FEES PURSUANT TO ORDINANCE 809-2020.
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Motion made by Councilwoman Juzaitis, seconded by Councilman Wierman that the resolution be adopted.

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

<u>Resolution No. 174-2020:</u>	A RESOLUTION AUTHORIZING THE RELEASE OF CERTAIN DEED RESTRICTION LIMITING HEIGHT OF STRUCTURES TO TWO STORIES AND FURTHER AUTHORIZING THE RELEASE OF CERTAIN OTHER CONDITIONS REGARDING NUMBER OF BUILDINGS, MINIMUM SQUARE FOOTAGE REQUIREMENTS OF PRINCIPAL BUILDING, AND MINIMUM LOT SIZE FOR THE FOLLOWING PROPERTY: THAT PROPERTY CURRENTLY KNOWN AS BLOCK 75.04 LOT 39 ON THE CURRENT OFFICIAL TAX MAP OF THE BOROUGH OF AVALON AND ALSO KNOWN AS 261 76 <sup>TH</sup> STREET, AVALON, NEW JERSEY
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<u>Resolution No. 175-2020:</u>	A RESOLUTION AUTHORIZING THE RELEASE OF CERTAIN DEED RESTRICTION LIMITING HEIGHT OF STRUCTURES TO TWO STORIES AND FURTHER AUTHORIZING THE RELEASE OF CERTAIN OTHER CONDITIONS REGARDING NUMBER OF BUILDINGS, MINIMUM SQUARE FOOTAGE REQUIREMENTS OF PRINCIPAL BUILDING, AND MINIMUM LOT SIZE FOR THE FOLLOWING PROPERTY: THAT PROPERTY CURRENTLY KNOWN AS BLOCK 10.01 LOT 5 and BLOCK 10.01 LOT 7 ON THE CURRENT OFFICIAL TAX MAP OF THE BOROUGH OF AVALON AND ALSO KNOWN AS 25 E. 11 <sup>th</sup> Street and 35 E. 11 <sup>th</sup> Street, RESPECTIVELY, AVALON, NEW JERSEY
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Motion made by Councilman Wierman, seconded by Councilwoman Juzaitis that the resolutions be adopted.

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

Resolution No. 176-2020: A RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF ELEANOR CIFALOGGIO AS ACTING TAX COLLECTOR FOR THE BOROUGH OF AVALON EFFECTIVE SEPTEMBER 24, 2020.

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

ROLL CALL VOTE:

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

Resolution No. 177-2020: A RESOLUTION AUTHORIZING PAYMENT OF BILLS.

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

ROLL CALL VOTE:

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

Second reading, public hearing and final action on Ordinance No. 809-2020:

Motion made by Council President McCorristin, seconded by Councilwoman Juzaitis that Ordinance No. 809-2020 be brought on for second reading, public hearing and final action.

ROLL CALL VOTE:

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

Borough Clerk read aloud Ordinance No. 809-2020:

Ordinance No. 809-2020:

AN ORDINANCE ESTABLISHING A PROCEDURE FOR PROPERTY OWNERS TO OBTAIN A RELEASE AND DISCHARGE OF CERTAIN DEED RESTRICTIONS IMPOSED BY THE BOROUGH OF AVALON IN CERTAIN DEEDS OF CONVEYANCES EXECUTEED AND DELIVERED BY THE BOROUGH OF AVALON PRIOR TO 1979.

Council President McCorristin opened the meeting for public hearing on Ordinance No. 809-2020 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Council President McCorristin, seconded by Councilwoman Juzaitis that the public hearing be closed.

ROLL CALL VOTE:

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



Motion made by Council President McCorristin, seconded by Councilwoman Juzaitis that Ordinance No. 809-2020 be finally adopted, submitted to the Mayor for approval and advertised according to law.

ROLL CALL VOTE:

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

Reports and Recommendations by Mayor and Officials:

Reports of Officials:

Scott Wahl read the following report:

Census: The deadline for the United States Census questionnaire submissions have been extended to Wednesday, September 30<sup>th</sup>. The Borough of Avalon has been working with AHLOA and the Chamber of Commerce to encourage homeowners to complete the questionnaires as quickly as possible. Many shore communities, Avalon included, have experienced a low response rate.

Dredging Project: Last week, Avalon announced the United States Army Corps of Engineers awarded a back bay dredging project to Barnegat Bay Dredging Company. The dredging will take place in the federal channel from the southern Avalon to northern Stone Harbor. This project is in conjunction with the Wetlands Institute for the Seven Mile Island Innovation Lab.

5G Implementation: Councilman Wierman has joined an internal committee to discuss how the Borough can improve and support the large influxes of data and connectivity needs of the community. Last week, this committee met with; Dominic Villecco, Telecommunications Consultant, V-COMM; and Robert Smith, Stone Harbor's Business Administrator; to discuss ways to implement 5G. If Council agrees, Administration is hoping to have an Ordinance to be prepared for the October 14, 2020 Council meeting, which will set the rules and regulations for the implementation of 5G.

CMC Hazard Mitigation Planning: The Municipal Liaison has chosen Avalon as part of the Cape May County Hazard Mitigation effort, which is required every five years. In 2021, Cape May County will present this plan to FEMA and the Floodplain Mitigation Plan will be presented to Council.

New Jersey Wind Port Project: Mayor Pagliughi hosted a meeting to discuss the New Jersey Wind Port Project, which is a 200 plus acre development project that will position southern New Jersey as a major hub for the U.S. offshore wind industry. This project is part of the State's Energy Master Plan to transition 100% clean energy by 2050, which means 30% of offshore wind energy produced on the East Coast will be from New Jersey.

Landscaping Contract: Last week, Scott Wahl had a meeting with Avalon Public Works and Taylor Design Group to review and discuss the specs for the Bay Shore Landscaping contract. The goal is to award a contract during the December 16, 2020 Council meeting.

Monthly Reports:

Month of August 2020

Bureau of Fire Prevention, Bureau of Licensing, Miscellaneous Construction Collection, Construction Water and Sewer, Uniform Construction Code & Taxicab Reports submitted by R. Edward Dean.

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

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 Councilman Wierman, seconded by Councilwoman Hudanich that the reports be approved.

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

Pending Business:

None.

New Business:

Council President McCorristin asked if Avalon closed the beaches during Hurricane Teddy, which churned up high surf along the Jersey Shore over the weekend of September 18, 2020.

Scott Wahl replied no, none of the beaches were closed during the storm. Avalon did experience some scarping and erosion in the north end of town. As previously reported, it may be best for Council to consider a beach fill project in the Spring 2021.

Councilwoman Hudanich asked if any recreational activities will be taking place in Avalon during September and October.

Scott Wahl replied Mayor Pagliughi’s Executive Order (2020-16) prohibits all special events in the Borough of Avalon including Trunk or Treat and Octoberfest. The Chamber of Commerce has cancelled the Seafood Festival as well.

Councilwoman Juzaitis reported discussions took place at the Recreation Committee Meeting on September 22, 2020 regarding special events. She noted Chuck McDonnell is working on the details of the Festive Friday and Snow Fest Saturday; however assured all the plans will be safe and well within the CDC guidelines.

Councilwoman Hudanich asked if people are practicing social distancing during recreational activities.

Scott Wahl said he cannot speak to this because he has not been to the recreational fields during activities. Before any recreational activities began, meetings were held with the JIF, Avalon’s Safety Official, and Chuck McDonnell to review recreational activities on outdoor fields to ensure Avalon would be following CDC and JIF guidelines.

Councilwoman Juzaitis noted she can speak to this, as she has visited the recreational fields. Chuck McDonnell did notify the parents of the children who were enrolled in the soccer program of the safety rules and regulations. Initially, not all parents followed the rules, but the guidelines for the fields were reiterated to all parents and attendees to promote compliance.

Council President McCorristin asked if Mayor Pagliughi will announce the cancellation of Trick or Treat.

Scott Wahl replied he believes Trick or Treat is still to be determined while awaiting guidance from the CDC.

Public Comments:

None.



Resolution No. 178-2020: 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 PERSONNEL ISSUES INCLUDING MATTERS WITHIN ATTORNEY-CLIENT PRIVILEGE

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

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

Motion made by Councilwoman Hudanich, seconded by Councilman Wierman to recess the public portion of the Regular Meeting and go into Closed Session.

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

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

Public portion of Regular Meeting recessed at 5:51 p.m.

Public Portion of Regular Meeting reconvened at 6:01 p.m.

Present:

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

Resolution No. 179-2020: A RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE CONTRACT WITH BLANEY & KARAVAN, P.C. AND CHARLES E. SCHLAGER, JR., ESQ. OF THAT FIRM AS SPECIAL PERSONNEL LABOR COUNSEL

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

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


September 23, 2020

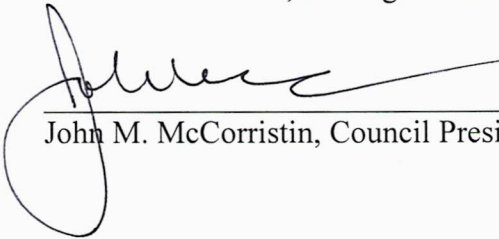
Motion made by Council President McCorristin, seconded by Councilman Wierman to adjourn the Regular Meeting.

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

Regular Meeting adjourned at 6:01 p.m.

Respectfully submitted,

  
C. Danielle Nollett, Borough Clerk

  
John M. McCorristin, Council President